

EARLY NEUTRAL EVALUATION (ENE):

Your case has been referred to Early Neutral Evaluation, a dispute resolution process designed to promote satisfaction through improved efficiency, reduced cost, and earlier resolution of parenting disputes related to parenting time and the allocation of parental rights. Early Neutral Evaluation provides a neutral forum for parents to discuss their concerns regarding parenting arrangements.

What exactly is ENE?

ENE is a short-term, confidential process that requires both parents and their attorneys, if applicable, to attend a session at the Court led by a Magistrate and a court-employed Social Worker or Counselor. After brief case presentations and information gathering, these experienced professionals share their evaluative impressions of the case and assist the parents in exploring possible solutions to the current dispute. The process is not mediation, but is less formal than litigation. Sessions generally last 3 – 4 hours.

What happens after the session?

If a full or partial settlement is reached, the Evaluators will require that the agreement be reduced to written form and submitted to the assigned Judge or Magistrate on a future date. The matter may be referred to mediation if certain details need to be resolved to reach a full settlement.

If no settlement is reached, the Evaluators will notify the assigned Judge or Magistrate and recommend the next step. Most likely, the case will be ordered to an investigation and any additional assessments. The Evaluators will not be permitted to participate any further in the case and they will not be available to testify during litigation.



Domestic Relations Court Dispute Resolution Department

DR 2.26 (7/21/2016)

EARLY NEUTRAL EVALUATION (ENE)



Hamilton County Court of Common Pleas Division of Domestic Relations

**800 Broadway
Cincinnati, Ohio 45202
(513) 946-9079**

www.hamiltoncountyohio.gov/domestic

**Dispute Resolution Department
Room 3-001**

What opportunities are presented by the use of ENE?

Parents will explore prospects for settlement, and thereby potentially reduce costs and expedite disposition. Parents and their children may also avoid the stress associated with parenting investigations and litigation, which are time-consuming and have a long-standing negative impact on families experiencing divorce.

Who are the Evaluators?

The team consists of a Magistrate and a Master's level Social Worker or Counselor. Both Evaluators have extensive experience managing parenting disputes and have been trained as family law mediators.

How does the process begin?

The assigned Judge or Magistrate will approve an Agreed Entry or create an Entry Ordering ENE or Magistrate's Order for ENE, and the parties with their attorneys will proceed immediately to the Docket Office in Room 3-46 at 800 Broadway to schedule the ENE session. The parties will be given a Scheduling Notice with the date, time and location of the ENE session. A post-ENE hearing with the assigned Judge or Magistrate will also be scheduled at this time. Within fourteen days of the Agreed Entry, Entry Ordering ENE, or Magistrate's Order for ENE, payment of the

\$200 ENE fee is required. Payment is to be made with the Clerk of Courts in Room 3-47 at 800 Broadway or via telephone at 513-946-9150.

What happens next?

Each party or attorney will submit the Parenting Perspective Brief (DR 2.32) to the Dispute Resolution Department (Room 3-001; cdrENE@cms.hamilton-co.org; or fax 513-946-9077) and to the other party or attorney a minimum of seven days before the scheduled ENE session. Fines may be assessed for late submissions or failure to submit. The Parenting Perspective Brief will not be filed with the Clerk of Court or placed in the Court's family file. It will be shredded upon completion of the ENE process. The Parenting Perspective Brief is designed to give the Evaluators an overview of the current situation, and therefore, requests information about living environments, parenting styles, work schedules, extracurricular activities, past decision-making, goals, etc. The format for the Brief is available on the Court's website.

The parties and their attorneys will report to the Dispute Resolution Center in Room 3-001 at 800 Broadway on the scheduled date and prior to the time for the ENE session. No other person should attend unless written approval is obtained in advance. Sessions cannot be rescheduled unless a Motion is filed with the Court and good cause is shown.

What happens during the session?

The Evaluators will oversee the discussion to allow each parent and attorney the opportunity to be heard in an atmosphere of cooperation and respect. First, the Evaluators will fully explain the ENE process and the ground rules. Then, each parent will have an opportunity to explain what disputes are at issue and his/her perspective on the best parenting arrangements for the child(ren). The attorneys will be available to remind their clients of important information and to help them maintain focus. The attorneys will also be afforded a brief opportunity to supplement the presentations. The Evaluators will ask questions of each parent in an effort to solicit sufficient relevant information, and will then meet privately to discuss the strengths and weaknesses of each parent's position. Subsequently, they will provide an evaluation of the probable outcome of the case if the matter was presented during trial. Settlement possibilities will be discussed and areas needing further inquiry may be identified. Parents may meet privately with their attorneys to discuss options. The Evaluators may schedule another ENE session if additional information or collateral data is needed, or if they decide to interview the child(ren) or other parties.