

# Getting Ready for a Settlement Conference

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## Should I use this?

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- ❖ You might have to go to a settlement conference before having a trial in your court case.
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These instructions are for King County Superior Court cases. They may help in other courts. Your county may have its own settlement conference rules. Check the court directory [here](#) to see if your court's rules are online.

## Is a settlement conference like a pre-trial conference?

**No.** A **pre-trial conference** is in front of the judge assigned to your case. That judge decides

- how long the trial will be
- how many exhibits there will be
- other things about the trial

At a **settlement conference**, you try to settle so you do not need a trial.

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- ❖ Some people call settlement conferences **mediation**. Mediation is a type of **alternative dispute resolution (ADR)**.
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## Who runs the settlement conference?

**Not the trial judge.** It is usually a different judge, or a family law commissioner. It can also be a retired judge, private lawyer, or settlement service. The settlement conference judge will

- Tell you what they think might happen if you go to trial. **Example:** in a divorce,

the judge will give an opinion about things like the parenting plan, property division, or child support.

- Talk to each of you about the strengths and weaknesses of your case.
- Try to help you reach agreement.

## Do I need a settlement conference?

It depends. Some courts require it. It can help you avoid trial. Trials can take lots of time, emotion, and money.

## Are there rules for settlement conferences?

[King County Superior Court's local court rules](#) about settlement conferences are [KCLCR 16](#) and [KCLFLR 16](#). KCLCR means [King County Local Civil Rule](#). KCLFLR means [King County Local Family Law Rules](#).

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- ❖ These instructions are for King County. If your case is in another county, talk to the court clerk and read your local rules. They may be online [here](#).
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## When do I schedule my settlement conference?

The deadline to do so is on your King County Superior Court Case Schedule. You must have a settlement conference, mediation, or other ADR process at least thirty days before trial.

You can schedule it at any time that works for everyone. You can schedule it before, during, or after regular court hours.

## How do we schedule a settlement conference?

**The court does not do it.** You and the other party must do it.

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- ❖ A list of volunteer judges and commissioners for settlement conferences is [here](#). There are volunteers for the King County Courthouse in Seattle and the Regional Justice Center (RJC) in Kent.
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Get a list of dates you and the other party are both available. Call the bailiff for a volunteer judge to schedule. **Try to call six months before the trial date.** Volunteers get booked far in advance. The bailiff will tell you if the judge is available on any of your dates.

After you have agreed on a judge and date, send the judge a confirming letter and the other party a copy. Ask the bailiff where to deliver “working copies” for the conference. Read [What are Working Copies](#).

If you cannot find an available judge, call the volunteer program in Seattle or Kent. They are experienced family law attorneys. There is no fee. Case numbers ending in “SEA” are assigned to the Seattle courthouse. Case numbers ending in “KNT” are assigned to the Regional Justice Center in Kent. For the courthouse in Seattle, call the Settlement Conference Coordinator at (206) 205-6770 on Thursdays and Fridays, 8:30 a.m. - 4:30 p.m. For the Kent Settlement Conference Coordinator, call (253) 852-2345 weekdays. Once they have made arrangements, the volunteer program will send you a letter confirming the date, time, and place.

If you cannot schedule a settlement conference with any of the above sources, contact a private mediator or retired judge. There is a fee.

## How do I get ready for the settlement conference?

The judge will send a notice explaining. Follow its instructions carefully. It may limit the length of letters and exhibits. **Example:** The judge asks for a three-page letter describing the situation. Do not write ten pages.

You can attach exhibits to your settlement conference letter. Label them by number and refer to them that way in the letter. Exhibits can be things like child support calculations or an appraisal of your home.

If you give the settlement conference judge any paperwork, you must give the other party’s lawyer or the other party a copy. You will need three copies of everything:

- one for the judge
- one for the other party or lawyer
- one for your own records

**Financial Declaration** – In family law cases, [KCLFLRs 10](#) and [16](#) say you must give the settlement conference judge a Financial Declaration with property description. The form is number FL All Family 131. Get it from the [state Administrative Office of the Courts website](#).

You must give the settlement judge the declaration and property description on time. Usually the deadline is noon, two working days before the settlement conference. If you miss the deadline, you may have to pay a fine.

**Other Legal Forms** - If child support is an issue, attach a child support worksheet. If parenting is an issue, attach a proposed parenting plan.

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- ❖ You can get forms from the [state Administrative Office of the Courts website](#). It has a list of all forms.
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**Confidential Information** - Protect your financial documents. Have the court seal them. Use a Sealed Financial Source Documents form. (It is form number FL All Family 011.)

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- ❖ King County has its own Sealed Financial Source Documents form. Get it from the [King County Superior Courts Forms page](#).
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You can have these documents sealed:

- Tax returns
- W-2s
- Wage stubs
- Credit card statements
- Financial institution statements
- Check registers
- Other financial info records

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- ❖ You cannot have the form itself sealed.
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After filling out the form, make four copies:

- One for the settlement conference judge, with the Financial Declaration
- Two for the court clerk with the Financial Declaration
- One for the other party

You submit the form **at the same time** as the financial documents you want the court to seal.

**Evidence** - Give the judge all the evidence you have. It can be in the form of a letter and exhibits. It must describe all facts and issues.

## Can I skip the settlement conference?

**No!** There are exceptions for health reasons, absence from King County, and other reasons that would make going “unduly burdensome.” If you do not have good reason for missing it, the settlement judge may fine you.

## What happens if we agree to settle at the settlement conference?

The judge may order you to write up and sign an agreement, or put it on the record with a court reporter.

## We did not settle. Can the other party use what I said at the settlement conference against me at trial?

**No. Example:** You agree to settle for half the marriage’s assets. You decide to do that if there are other parts of the settlement you like. You do not reach agreement. The settlement falls through. You can still ask for more than half the assets at trial. The other party cannot tell the trial judge what happened at the settlement conference.

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- ❖ What happens is confidential. It cannot be reported or recorded.
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## What else can the settlement conference judge do?

Even if you do not settle, the settlement conference judge can still issue some orders.

**Examples:** in a divorce, the judge can appoint a guardian ad litem for any dependent children. The judge can appoint a “special master” or expert to advise the court about the children’s welfare, a party’s property, or a party’s physical or mental condition.

## What if I do not agree with the settlement conference judge?

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- ❖ If you do not reach agreement at a settlement conference, you do not have to follow the judge's opinion.
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Listen carefully to the judge's opinion about your case. It will probably be similar to a trial judge's ruling.

If you believe the settlement conference judge did not understand your side of the story, you may want to go to trial. Usually, though, settling a case during or after a settlement conference is better than trial:

- Reaching a settlement agreement may make it easier to make future agreements with the other party.
- It is cheaper than going to trial.
- There are no surprises. You know what you are agreeing to.
- You are making decisions about your life. No judge is making those decisions for you.

## What if I need legal help?

- **Apply online with [CLEAR\\*Online](https://nwjustice.org/get-legal-help)**  
- <https://nwjustice.org/get-legal-help>  
or
- **Call CLEAR at 1-888-201-1014**

CLEAR is Washington's toll-free, centralized intake, advice and referral service for low-income people seeking free legal assistance with civil legal problems.

- **Outside King County:** Call 1-888-201-1014, weekdays 9:15 a.m. - 12:15 p.m.
- **King County:** Call 211 for info and referral to an appropriate legal services provider, weekdays 8:00 am – 6:00 pm. You may also call (206) 461-3200, or toll-free 1-877-211-WASH (9274). You can also get info on King County legal service providers at [www.resourcehouse.com/win211/](http://www.resourcehouse.com/win211/).
- **Persons 60 and Over:** Seniors age 60 or over may call CLEAR\*Sr at 1-888-387-7111, regardless of income. Assets limits may apply. Seniors in King County may call 2-1-1.

Deaf, hard of hearing or speech impaired callers can call CLEAR or 211 (or toll-free 1-877-211-9274) using the relay service of their choice.

CLEAR and 211 will conference in free interpreters when needed.

Free legal education publications, videos and self-help packets covering many legal issues are available at [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org).

*This publication was adapted with permission from Legal Voice from a publication called "How to Get Ready for a Settlement Conference".*

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