

Instructions: Case Disposition Information Sheet

District Court of Maryland Day of Trial Alternative Dispute Resolution (ADR) Session

INSTRUCTIONS

For the Mediator or Settlement Conference Attorney: This Sheet is for the parties' consideration and conversation around what they want to have happen to their court case. If the parties have reached a mutually agreeable decision as to the outcome of the case, please follow the instructions below and then write their selection (highlighted in yellow) into their agreement on the Settlement Agreement form (ADR 4).

Please distribute a laminated copy of the Case Disposition Information Sheet to parties that have reached an agreement. **If they ask** for a copy of the Information Sheet, you may provide a paper copy (either by making a copy of the laminated sheet or asking a bailiff to make a copy).

AFTER summarizing (OR after actually writing) the terms of their settlement agreement to make sure all areas are covered, **READ** aloud the statement below, as well as the disposition options provided on the reverse of this paper, while participants read along.

READ to the Participants (after writing all other terms of the agreement on the Settlement Agreement Form):

Congratulations on reaching an agreement!! The last thing you need to consider is what you would like the court to do with the case, which is called "case disposition." This Information sheet I gave you provides some options for dismissing your case. The Sheet represents the most common case dispositions for when a case reaches a settlement through alternative dispute resolution (ADR). There are other types of case dispositions not included on this sheet. You are not limited to the dispositions listed on this sheet, **and** I cannot offer any additional information or legal advice about other types of case dispositions.

I'll read the disposition options aloud as you read along. Please consider which option seems to be the best fit for your case. If you agree upon your case disposition, I will record this on the Settlement Agreement form. If you are unable to agree upon your case disposition, the judge will determine the appropriate disposition for your case.

My role in this process is to support the conversation you may want to have around the disposition of your case. I will continue to serve in a non-judgmental capacity; I will not tell you what to do, which option to choose, or give any legal advice.

So if you turn the sheet over, I'm now going to read aloud the three most common Case Disposition options.

NOTE: **If the parties ask** any questions about other disposition options or about what affect any disposition may have on their life, employment, security clearance, privacy, etc., please refer them to the Self Help Center (including the option of taking a break and having them call the Center using their own mobile device):

"If you have questions, you may contact the District Court's Self Help Center at 410-260-1392. The Self Help Center is staffed by attorneys who can provide limited legal information and advice. They may be able to answer your specific questions about these dispositions."

READ ALOUD to the participants as they read along:

I want my case closed, but one or more parties still need to fulfill obligations as stated in the agreement.

We reached an agreement. The terms of the agreement haven't been completed yet and will take some time to complete.

Effect:

- ✓ The case is closed immediately.
- ✓ The terms of the agreement are filed with the court and become part of the court file.
- ✓ If either party fails to follow through with the terms of the agreement, the case may be reopened at any time upon request of any party to the settlement to: (1) enforce the agreement that was reached, and/or (2) have a money judgment entered.

Maryland Rule 3-506(b)

"(b) Dismissal Upon Stipulated Terms. If an action is settled upon written stipulated terms and dismissed, the action may be reopened at any time upon request of any party to the settlement to enforce the stipulated terms through the entry of judgment or other appropriate relief."

- ✓ Your case disposition is a **DISMISSAL UPON STIPULATED TERMS**.
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I want my case closed.

The other party and I agree that there is nothing to be done by either of us at the moment.

Effect:

- ✓ The case is closed immediately.
- ✓ Another case may be re-filed with the court at a later time.

- ✓ Your case disposition is a **DISMISSAL WITHOUT PREJUDICE**, which means you may file this claim again (pursuant to other court rules).
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I want my case closed immediately.

The other party and I have reached an agreement and are satisfied with the terms of the agreement (neither of us has any additional obligation/responsibility to the other with respect to this case).

Effect:

- ✓ The case is closed immediately.
- ✓ The case cannot be re-opened or re-filed with the court at a later time.

- ✓ Your case disposition is a **DISMISSAL WITH PREJUDICE**, which means you cannot file this claim again. The legal claim for this event/incident/contact is closed forever.

If you have questions, you may contact the District Court's Self Help Center at 410-260-1392. The Self Help Center is staffed by attorneys who can provide limited legal information and advice. They may be able to answer your specific questions about these dispositions