

REBA DISPUTE RESOLUTION, INC.

A Subsidiary of the Real Estate Bar Association for Massachusetts, Inc.

WHAT TO EXPECT IN A SCREENING

The Land Court has referred this case to REBA Dispute Resolution (REBA/DR) for a mandatory mediation screening for Dispute Resolution (DR). During this session, the screener will provide the parties and counsel with information about the REBA/DR program, an overview of the different types of services available, and the many benefits of DR in general. The screener will also discuss the process and details involved in scheduling a DR session, including which neutral to choose, and the timing and costs involved. The parties and counsel are welcome and encouraged to ask any questions they may have.

Screenings are typically held at REBA/DR in Boston and begin at 10:00 AM, and are usually 30-45 minutes long. Please be advised that the Land Court requires all parties, attorneys and clients included, to attend this screening in person, unless otherwise specified by the court. There is no charge to participate in this session.

Prior to the screening, REBA/DR will report to the court only that the parties are scheduled for a screening, as well as the session date, time and location.

During the screening the lawyers (or *pro se* parties) will be given an opportunity to summarize their case. This presentation should be brief, non-adversarial, and factual, as the purpose of this exercise is simply to provide the screener with relevant factual background. It is not an opportunity for the parties to engage in advocacy or a debate.

At the conclusion of the screening, the group will determine the case's appropriateness for mediation. If the parties do decide to go forward with the mediation process, they will be asked to choose a mediator from the REBA/DR panel, as well as the date, time and location of the mediation session. In order to assist with this scheduling process, all parties and counsel are asked to bring their calendars with them to the screening. Please note that the screening is a confidential process.

After the screening, REBA/DR will report back to the court only whether or not the parties decided to go forward with mediation, and if so, the agreed-upon mediator, the mediation date, time and location.

Cases that are referred by the Land Court for the screening process are typically appropriate for mediation; otherwise the court would not have ordered the screening in the first place. Most screenings conclude with an agreed-upon mediator, the session date, time and location.