

**AGREEMENT CONCERNING SETTLEMENT CONFERENCE PROCESS**

The \_\_\_\_\_ Circuit Court has referred the case of \_\_\_\_\_  
v. \_\_\_\_\_ to a Judicial Settlement Conference. This matter is referred to  
The Honorable \_\_\_\_\_ in his capacity as a Settlement Judge for the sole  
purpose of conducting a Settlement Conference.

Statements made and materials used during the course of the settlement conference shall not be subject to disclosure in discovery or in any judicial or administrative proceeding except (1) statements, memoranda, materials and other tangible evidence, otherwise subject to discovery, which were not prepared specifically for use in the settlement conference or (2) where a complaint is made against the settlement judge by a party to the settlement conference. It is the intent of the parties that free discussion be permitted to occur during the settlement process, but also that no evidence that is otherwise admissible should be excluded solely because it is mentioned in the settlement conference. This agreement shall be construed with this intent. Neither the judge nor settlement conference participants shall share information from the settlement conference with the trial Court hearing this matter, except for limited procedural information, which may be shared only with the unanimous consent of all the parties.

In the conduct of the settlement conference and all other matters ancillary thereto,  
Judge \_\_\_\_\_ shall be exempt from the requirements of Canon 3B(7) *Canons of Judicial Conduct for the Commonwealth of Virginia*, related to *ex parte* proceedings, and is specifically authorized to engage in such oral and/or written *ex parte* communications as the Judge, in his or her sole discretion, deems advisable in connection with the settlement conference process.

Agreed this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ .

Plaintiff:

Counsel for Plaintiff:

Defendant:

Counsel for Defendant:

Guardian Ad Litem:

Insurance Representative:

Attorney for Insurance Carrier

Settlement Judge:

Other: