

# Get ready for a settlement conference

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Learn why you should go to your settlement conference, what will happen there, and what happens if you don't settle.

## **Should I read this?**

Yes, if you must go to a settlement conference before having a trial in your court case.

### **These instructions are for King County Superior Court**

(<https://kingcounty.gov/en/court/superior-court>) **cases**. But they may also help you in other courts. You should ask the clerk of the Superior Court where your case is filed if that Court has its own rules about settlement conferences.

## **What is a settlement conference?**

It's a chance for you and the other party in your court case to meet with the judge and try to work out a compromise solution to your case (called a settlement) that you both are satisfied with. The judge will explain to you how a judge might use the law to rule in your case if you can't work out a settlement. This should help you decide what kind of compromise you can live with, if any, or if you'd rather take your chances going to trial and letting the judge rule.

### **Do I need a settlement conference?**

It depends. Some courts require it.

Even if the court doesn't require you to go to a settlement conference, it might be a good option for you anyway. A successful settlement conference lets you avoid trial. Trials can take lots of time, emotion, and money.

### **But what if I really want my day in court?**

That's understandable. Usually, though, settling a case during or after a settlement conference is better than trial.

- It may make it easier to make future agreements with the other party.
- It's cheaper than trial.
- There are no surprises. You know what you're agreeing to.
- You're making decisions about your life. No judge is making those decisions.

### **If the court requires me to go to a settlement conference and I don't, what could happen?**

It depends on whether you have a good reason for missing the settlement conference. For example, if you're getting divorced, and you have experienced domestic violence from your spouse, many courts will excuse you from taking part in any settlement conference. But if the court papers you've already filed in your case don't mention domestic violence, you must let the judge know about this beforehand if you can.

If you skip a settlement conference and you don't have a good reason for doing so, the settlement conference judge may charge you a fine.

### **What happens at a settlement conference?**

A judge who **won't** be assigned to your trial, if you end up needing to go to trial after all, will oversee your settlement conference. The settlement conference judge will

- Tell you what they think might happen if you go to trial. For **example**: in a divorce, the judge will give an opinion about things like the parenting plan, which spouse should get which property, or child support.
- Talk to each of you about the strengths and weaknesses of your case.
- Try to help you reach agreement.

The settlement conference judge can also issue orders. For **example**, in a divorce, the judge can appoint an expert to advise about the children's welfare, a spouse's property, or a spouse's physical or mental condition.

### **What if I don't think we'll reach an agreement?**

If you don't reach agreement at a settlement conference, the judge may still issue an opinion about your case. Listen carefully to it. It will probably be like a

trial judge's ruling.

If you believe the settlement conference judge didn't understand your side of the story, you may want to go to trial. Or you might want to try to get a lawyer to help you try to settle the case outside of a settlement conference.

If you reach a settlement on only some of the issues in your case, you might have to go to trial to let a judge rule on any remaining issues that the settlement didn't resolve. If you reach settlement on all issues, you won't go to trial.

**Can the other party use what I said at the settlement conference against me at trial?**

No. What happens at the settlement conference is confidential. It can't be reported or recorded.

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