



ADR Notable

Brittany and Matthew Tucker

A Divorce Case Fact Pattern illustrating
5 Ways that ADR Notable will help you
throughout a divorce case

BACKGROUND

Brittany and Matthew Tucker have been married for fourteen years. After five months of counseling, Brittany let Matthew know that she was going to proceed with a divorce action. While Matthew would prefer to continue with counseling in hopes of a reconciliation, he has agreed to an amicable divorce proceeding, believing that this is in the best interest of their family. They have two children, Jeremy, age 9 and Jennifer, age 6. Jeremy has been diagnosed with dyslexia. He has an IEP with the public school he attends and works with a private tutor twice a week.

Brittany and Matthew jointly own a home, which has an outstanding mortgage of \$45,000, due to be paid off in just under four years, and two cars, which are both fully paid off. Brittany is a CPA but cut her hours back to half-time after Jennifer was born. Matthew is a pharmaceutical salesman, with pharmacy and hospital customers in Atlanta, Marietta, and Athens. They both have health insurance through their employers; Matthew's coverage offers more benefits, including dental, than does Brittany's. They also both have retirement accounts and a joint savings account with a balance of about \$15,000.

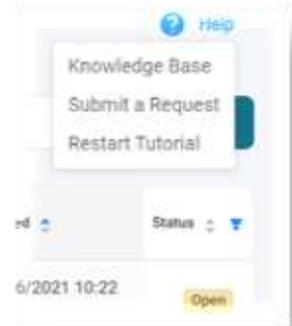
At the point that they start to seek professional family law help...

- they have agreed that Matthew will pay monthly child support, but they have not agreed upon an amount,
- they have agreed in principal to share most other expenses related to the children, including childcare and healthcare, though they have not worked out any details as to how that will happen,
- Matthew has indicated that he will move out of their home, but not when,
- and they have agreed that it is best for the children to live with Brittany, but Matthew will have regular visitation rights during the school year and additional time with the children when school is not in session.

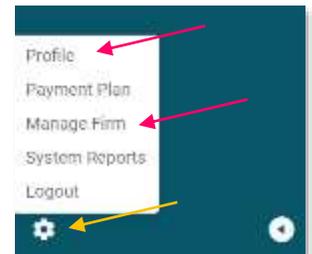
On the advice of Brittany's sister-in-law who went through her own divorce two years ago, the couple each found an attorney using the Amicable Divorce Network directory. The attorneys have made good progress and [have worked through a lot of the issues](#). Brittany's attorney uses ADR Notable. At this point, Donna Parsons, a family law mediator and parent coordinator, is joining the team to help with some of the final negotiations. Donna is a relatively new user of ADR Notable.

Three Preliminary Items

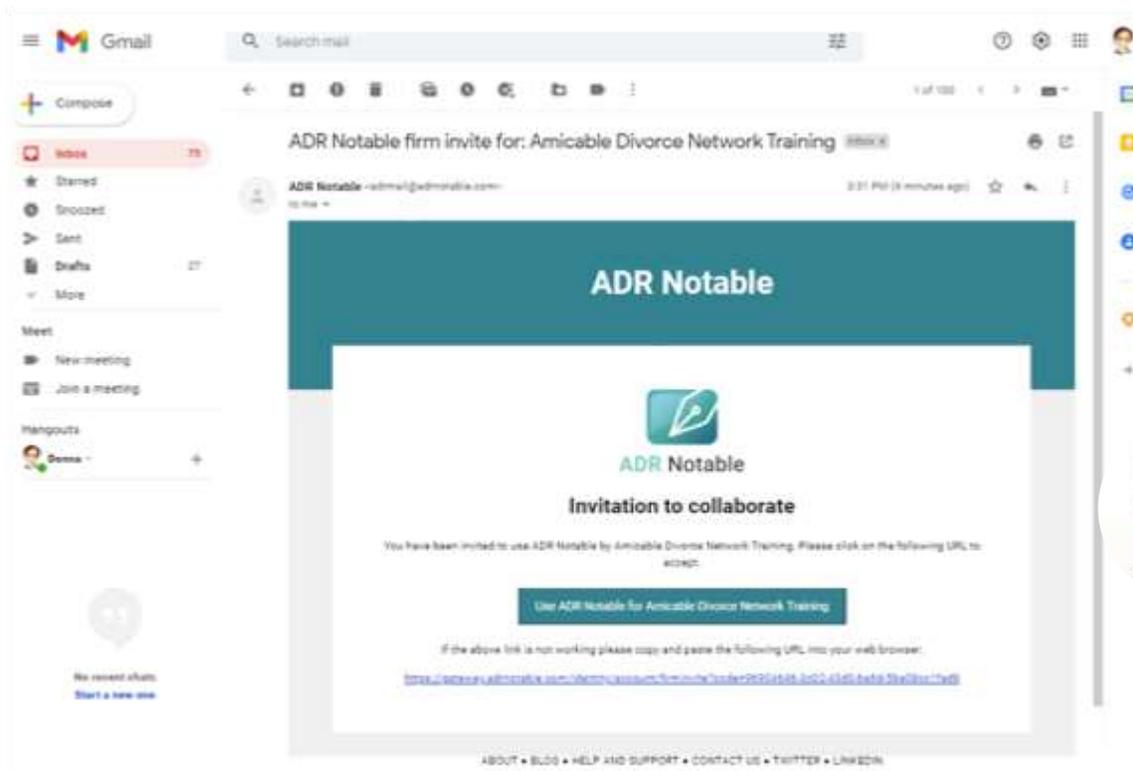
1. These five illustrations of how ADR Notable can help you are just to get you started; there is much more! When you need help, hit the **Help** button in the upper right corner of the App (app.adrnotable.com) to check out the Knowledge Base or to submit a question. You can also go to adrnotable.com/adn to sign up for a Demo or [send Kimberlee an email](#). Depending on the nature of the case and the jurisdiction, any of these five things might be done by the attorney, a mediator, or a case manager. Anyone who helps resolved disputes will find value in ADR Notable.



2. If you have not already done so, go ahead and set up your Profile and your Firm. Open the Sidebar Menu, click on the gear icon in the lower left corner of your screen, and select **Profile** to [enter some basic information](#). When you're done, return to the gear icon, selecting **Manage Firm > Display/Edit** to [enter your Firm information](#).



3. Finally, make sure you have responded to the email inviting you to collaborate with the Amicable Divorce Network in ADR Notable so that you have access to some of the ADN resources there.



Now, we're ready!

#1 Set up the Case

By design, you can set up a new case with very little information. We want it to be easier to hit Add Case and enter the basics right into the app than it is to put the same information down on paper. So select Add Case and enter the following information. You can “Tab” through the fields...



Info	Party 1: Brittany	Party 2: Matthew
Party Type	Primary – Individual	Primary - Individual
First Name and Last Name	Brittany Tucker	Matthew Tucker
Abbreviation	BT	MT
Email (if you have a gmail address, this trick allows you to see what the emails will look like to the recipient by using your own gmail address.)	your-gmail+ BT@gmail.com e.g. Donnaparsonsmediation+BT@gmail.com	your gmail+ MT@gmail.com
Phone	123-456-7890	098-765-4321
Mailing Address	9999 Faux Street Hickory Flat, GA 30115	Same
Billing Address	Same as Mailing Address	Same as Mailing Address
<i>Next, select...</i>	Add participant affiliated with this party	Add participant affiliated with this party
Party Affiliate Type	Primary -- Individual	Primary -- Individual
First Name and Last Name	Jack Elliott	Joanna Robbins
Abbreviation	JE	JR
Role	Lawyer	Lawyer
Email	[your gmail]+ JE@gmail.com	[your gmail]+ JR@gmail.com
<i>Now for the Case Info...</i>		
Case Title	Tucker Divorce	
Case Type	Divorce/Dissolution	
Firm	<i>Select Firm Name you set up from dropdown menu</i>	
Case Users	<i>Select from the Dropdown menu that will populate once you select a Firm</i>	

Other things you can try:

- Add more Affiliates, perhaps Brittany is bringing her sister-in-law to the mediation as a support person.
- Add a Case Report Note, perhaps noting that there are minor children. This will appear on the Case Summary Report.



And here's some inside information...

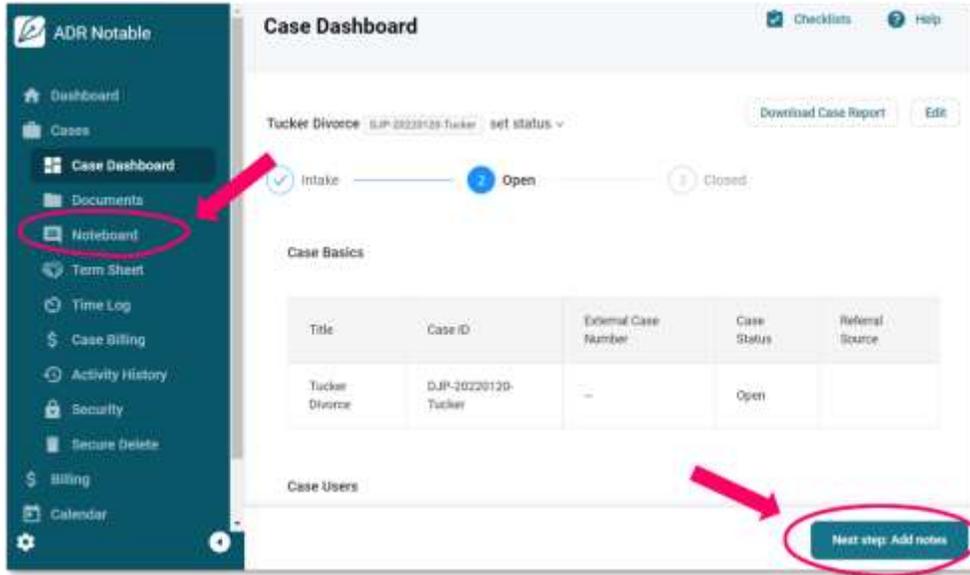
The **Billing** module is in final beta testing.

The **Scheduling** solution is coming very soon.

*What's next? **Automated Client Intake!***

#2 Create a Case Checklist

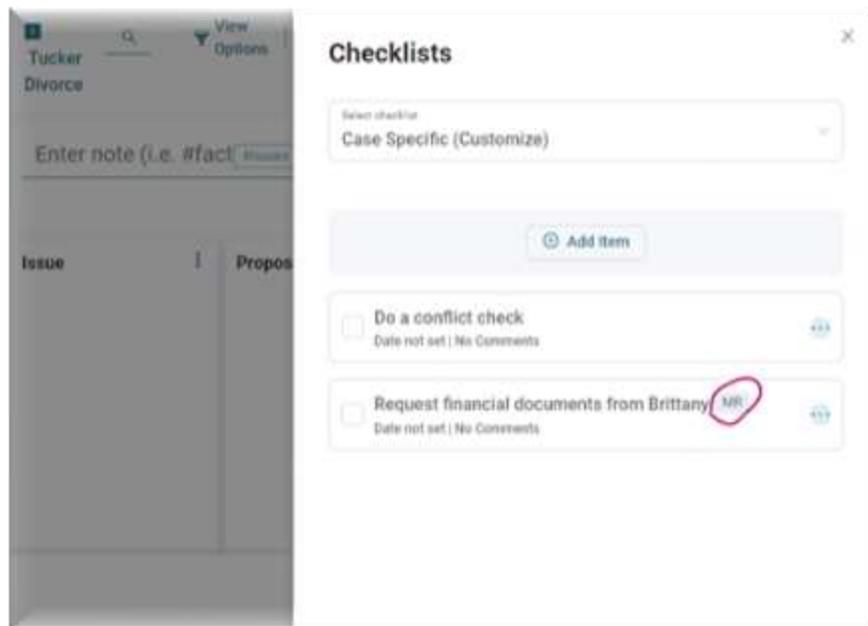
1. From the Case Dashboard, navigate to the **Noteboard** using either the Main Menu item **or** the **Add Notes** button in the lower right corner.



2. First, track your time. Select **View Time Log** at the top, then the **+** in the **General** tab to create a manual entry. Enter the Date, the Start Time, and add a Note such as “Case Preparation” and close the box.

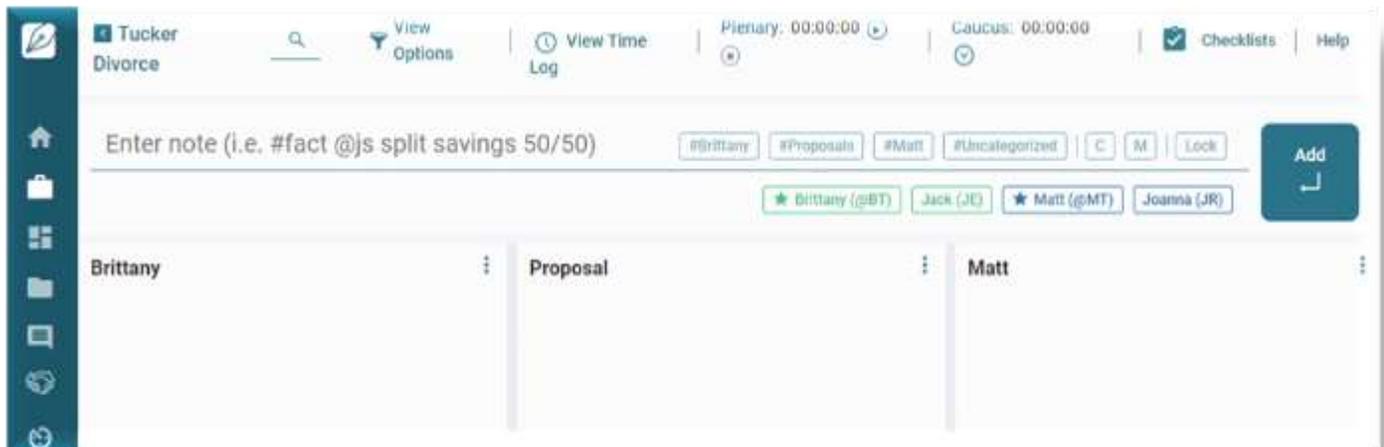
Next, select **Checklists** in the upper right corner, then select **Case Specific (Customize)**. Add a couple of items. As the case progresses, you can use this for reminders. Or, as you review documents, you can note things that need following up.

The “MR” next to the second task indicates that Donna has assigned this task to her Case Manager, Miles Rogers. You can [invite one other person](#), for example, a co-worker or co-mediator from outside your firm to share your case at no additional cost. The **Case Specific Checklist** is a *great* way to share information and keep track of “who-is-doing-what.”



Other things you can try:

- Go to your Library in the Main Menu, select Checklists, then ADR Notable in the dropdown, and copy the **ADR Notable New Client Intake Checklist** into your personal Checklists by selecting the Copy button next to it. **Edit** it as you wish and **Save** it. Now whenever you are in a Case and select the **Checklists** button, you can pull that up -- or any other Checklists you create or copy in.
- Customize the Noteboard to your specifications.
 - The Proposal Lane must stay but the other lanes can be eliminated or renamed as you wish by selecting **View Options** at the top and de-selecting the boxes.
 - To rename a lane, click on the **Lane Edit Menu** (three vertical dots) and then **Edit Lane Title**.
 - Now, try getting rid of **Uncategorized**, and then change **Issue** to “Brittany” and **Fact** to “Matt.”



#3 Request Documents from your Client

Donna Parsons is now going to request some financial documents from Brittany (understanding that in reality, her attorney Jack Elliott might be doing this). Open the Main Menu and select **Documents**. You will see that a folder has already been created called “Tucker Divorce Files.” Select that, then create a new sub-folder called “Brittany Tucker Financials” using the **Create New Folder** button in the lower right corner.

*The **Retained Documents** folder that you see is another important tool. At the end of a case, ADR Notable has an option to securely delete your case files and notes so that they are undiscoverable. You can use this feature even if there are some documents you want to keep. Simply move the documents to keep to the Retained Documents folder.*

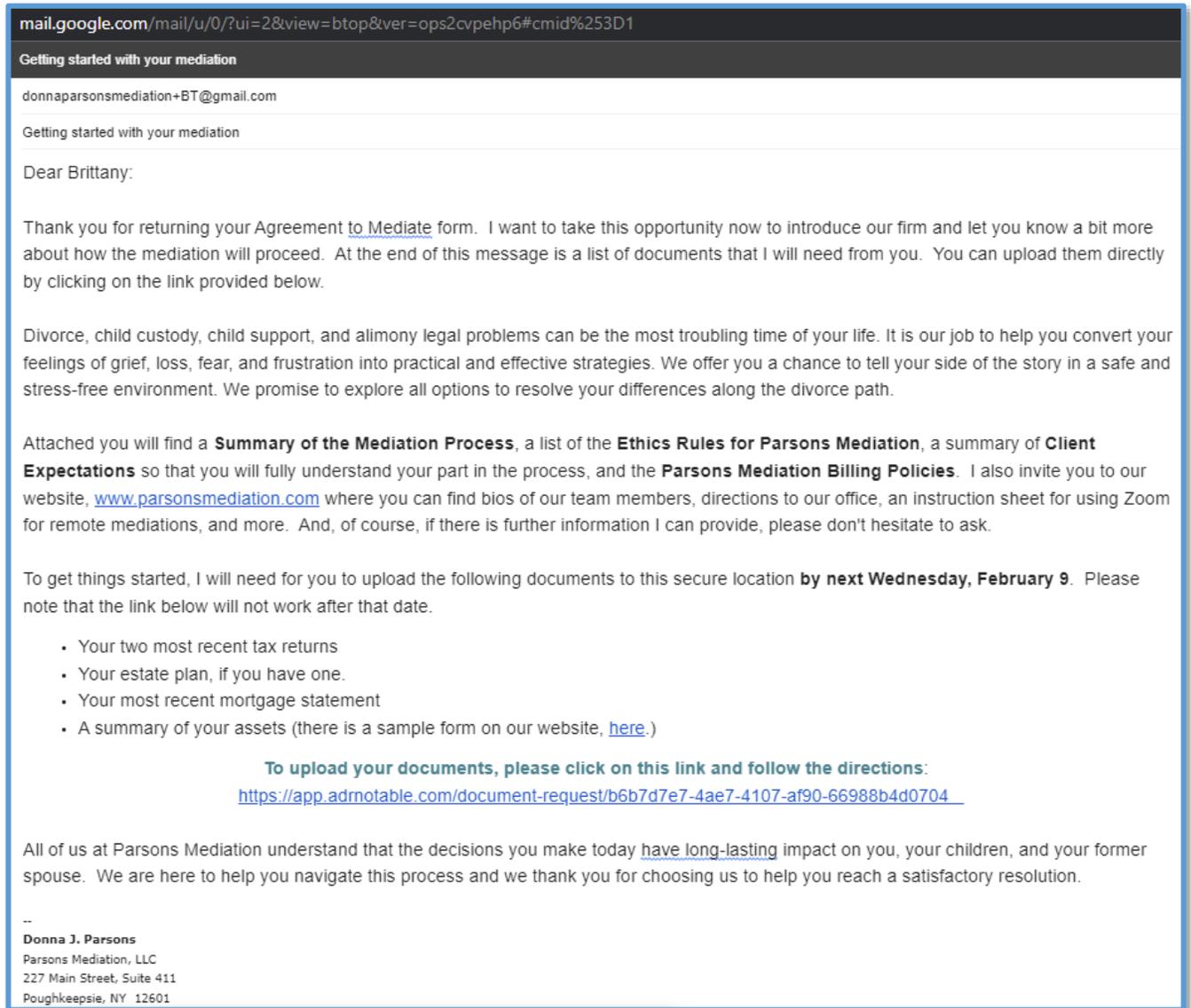
Select the **Request a Document** button in the upper right. A window will open where you can fill in the required fields. Note that the “Expiration Date” is both a security feature *and* a very handy “prompt” to get things returned in a timely way. And who doesn’t want that?! Select **Send Email** as your delivery option and then the **Send** button.

When you set up the case, if you entered Brittany’s email as “your gmail+BT@gmail.com,” you will see what Brittany would receive from you, and you can follow it through by uploading a file or two!

The image displays two screenshots from the ADR Notable application. The top screenshot shows the 'Request a Document' form with the following fields: Participant (Brittany (BT)), Folder (Brittany Tucker Financials), Note (Brittany, here is the message I referred to on the phone when we discussed the financial documents you will need to send along. Just follow the instructions and upload the following: Personal Data Forms, Schedule of Assets and Debts, Income and Expense), and Expiration Date (2022-02-09). The Delivery Method is set to Send Email. The bottom screenshot shows an email notification from ADR Notable with the subject 'A document has been requested for your case.' The email body includes a greeting to Brittany Tucker, a notice that documents must be uploaded by 2/9/2022, and a quote from the mediator: 'Brittany, here is the message I referred to on the phone when we discussed the financial documents you will need to send along. Just follow the instructions and upload the following: Personal Data Forms, Schedule of Assets and Debts, Income and Expense Disclosure, Two months of paystubs, and Two years of tax returns.' A blue button labeled 'Upload Requested Documents' is at the bottom of the email.

Other things you can try:

- Go through the **Request a Document** procedure but instead of writing a Note, select **Get Link** as your delivery method. (Just hit the space bar if prompted to add a “required” Note.) Then compose your email in your email platform of choice and paste the link into it. This is *very* useful for Client Intake. Here is a Parsons Mediation Gmail template for a “welcome message” with attachments, that **includes a request for a few documents**. Open your template in Gmail, add the attachments, personalize it as needed, paste in the Link, add the expiration date, and hit Send. Takes less than a minute!



When you're done working on this case, don't forget to go back to the Noteboard and enter your "End Time" in your Case Preparation Time Entry. You've just created a "Billable" that can be added to your Invoice. (Billing is being beta-tested now and will be available to all subscribers on March 1, 2022.)

#4 Enter some Notes

Your Noteboard is your workspace.

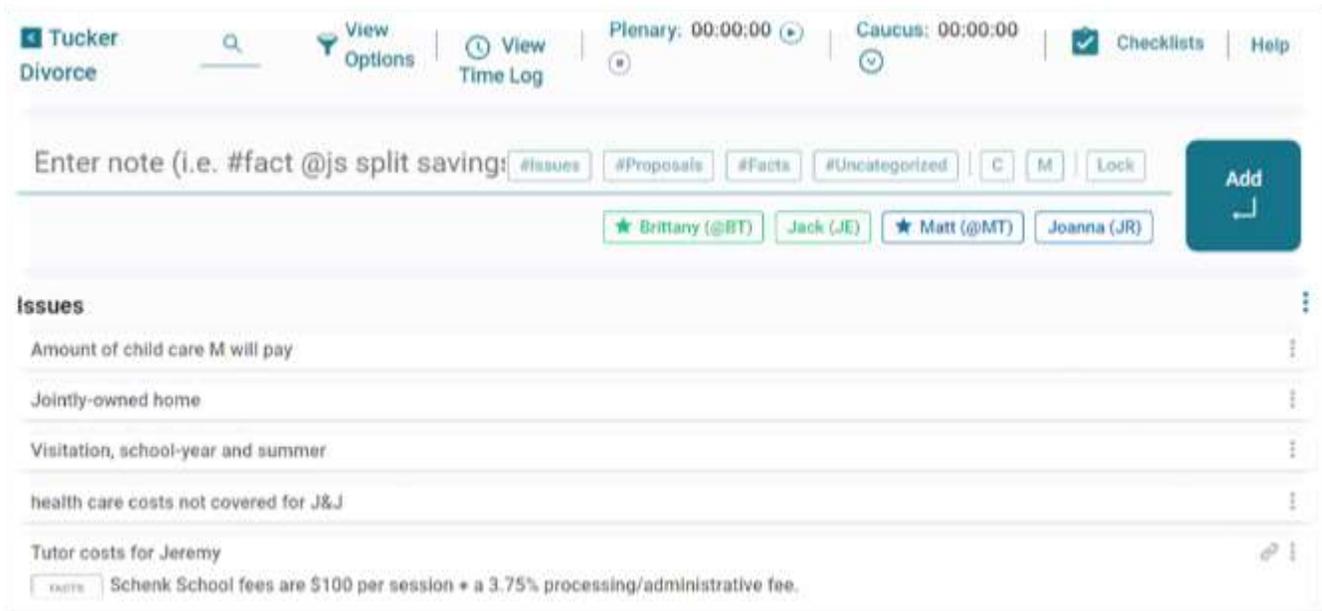
It's available to you *any time* and *any place* you have an internet connection.

How Jack Elliott uses ADR Notable

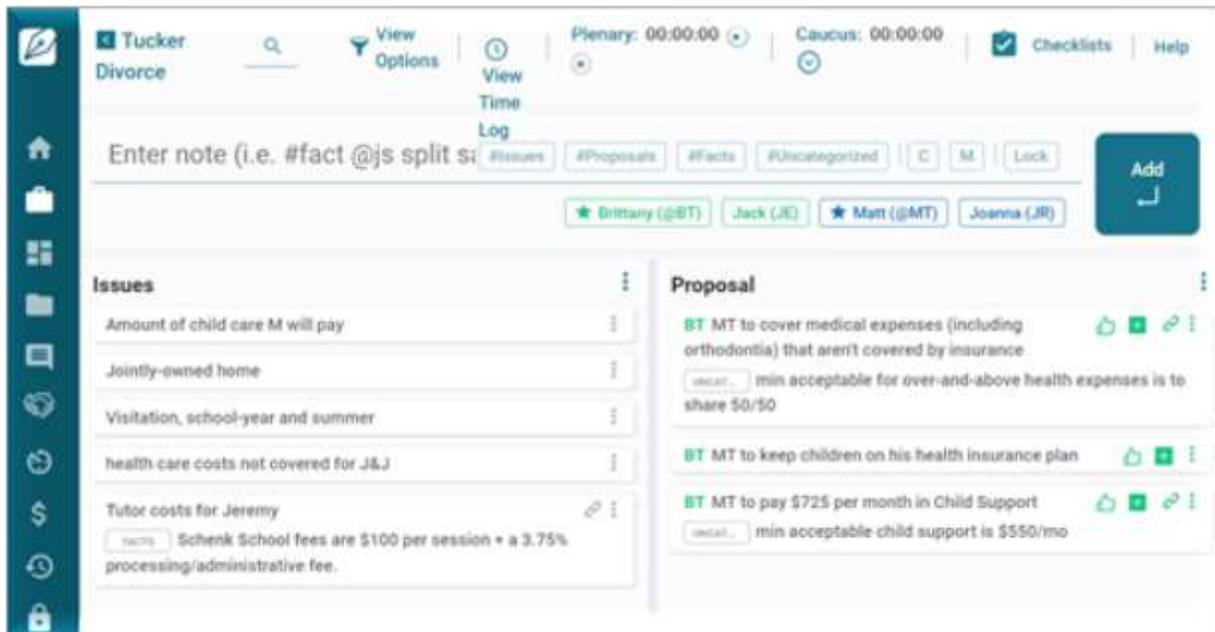
Brittany's attorney, Jack Elliott, has had three sessions with Brittany before they called in Donna Parsons. Whenever he works on Brittany's case, he just pulls up the case in ADR Notable, starts the timer, and picks up right where he left off last time.

Jack uses the Noteboard in its default configuration. He uses the **Proposals** lane to keep track of the items that will be in his Settlement Offer which he will create in ADR Notable. A firm believer that the best settlement strategy is one where each step is *intentional*, he starts with the following steps:

1. **Prioritizing the Issues.** Add a few Issues on the Noteboard and then drag and drop them into your order of priority. *Pro tip:* Sharpen your focus on the Issues and give yourself more workspace by "turning off" (unchecking) all the other lanes in the View Options menu.



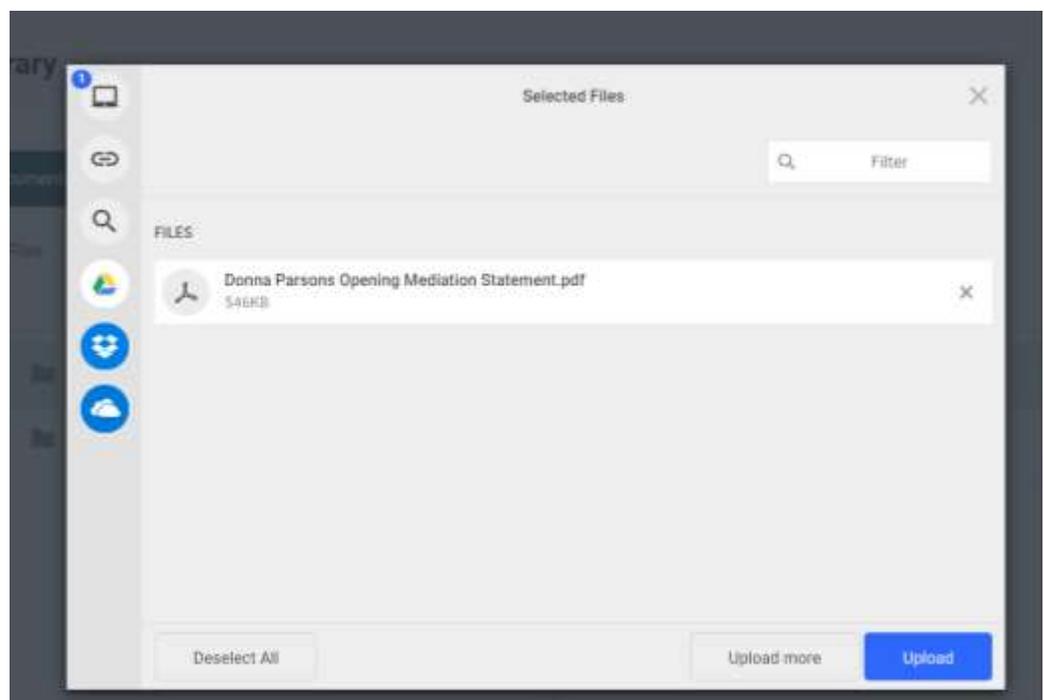
2. **Determine Settlement Ranges.** Turn on the **Proposals** column and add your ideal settlement for a few items. You can put the minimum acceptable offer in an uncategorized note and link it.



How Donna Parsons uses ADR Notable

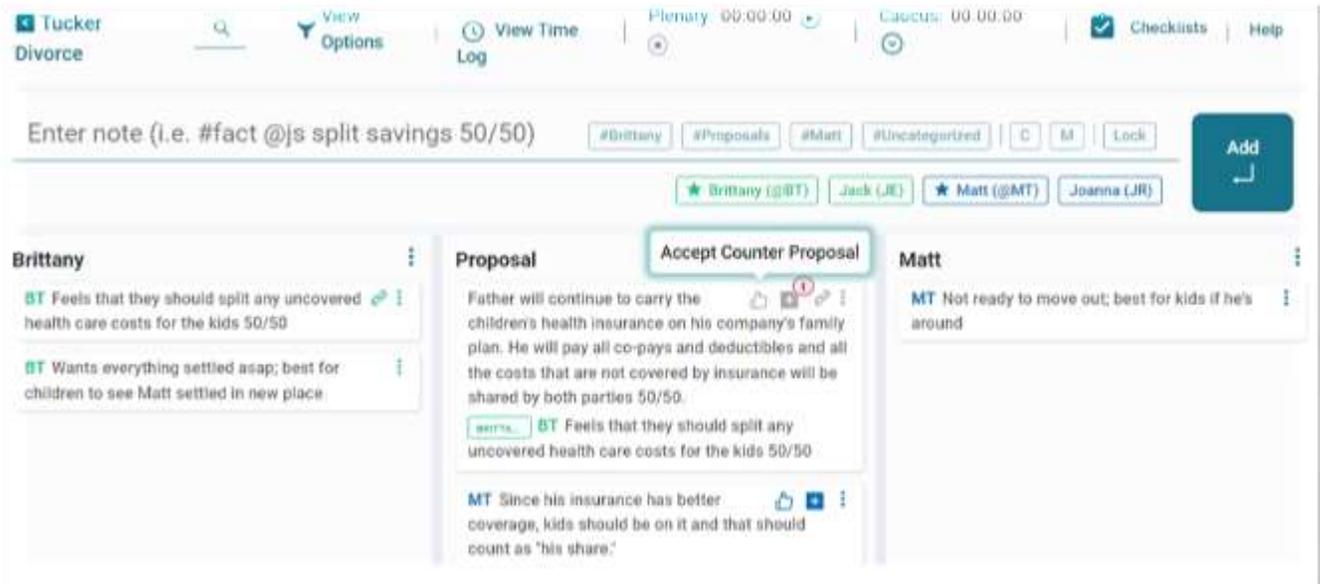
Donna Parsons uses the Noteboard *during* the mediation session. Not knowing anything about the Case beforehand (other than doing a Conflict Check and making sure there were no personal safety issues), she is starting with a blank screen with a column for each Party and the Proposals in the middle.

If you have a standard set of opening comments, upload that to your Library now. To do so, go to **Library** in the Main Menu and under Documents, select the **General Documents** folder. Click on the **Upload File** button in the lower right and navigate to the file you want to upload on your computer, in Dropbox, Google Drive, OneDrive, or via a URL. Select it and click **Upload**.

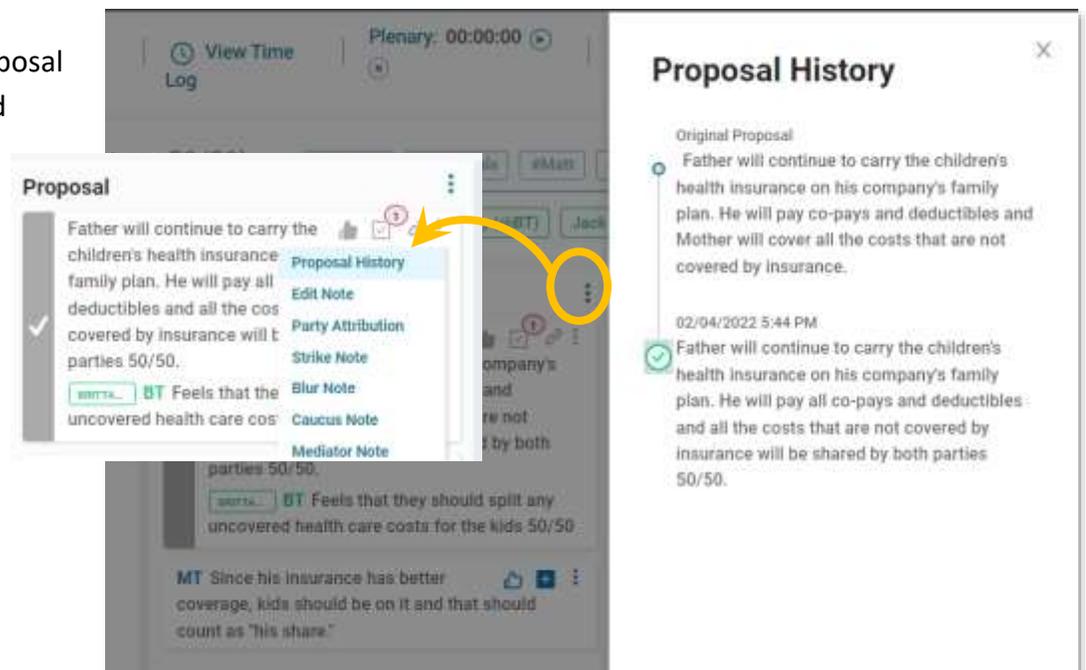


Now at the start of any case, you can go to your Library, highlight your “Opening Comments” document and either **Preview** it or download it and open it. (Alternatively, you can create a bullet point list of your Opening Comments and save it as a **Checklist**. Then, right from your Noteboard, just pull it right up and you’re ready to go.)

Next, imagine what the difficult items are that might arise during the first mediation session and make some **Notes** to document those. When offers are put forward, create **Proposal Notes**. Try creating a Proposal for how their children’s health care costs will be handled. Add one or more counter-offers and then select **Accept Counter Proposal**.



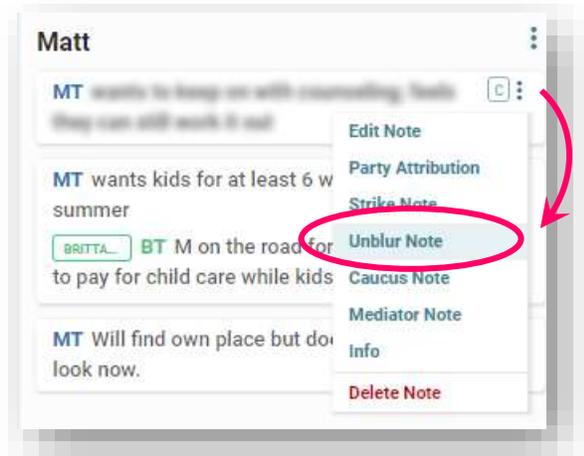
Now when you select Proposal History from the Notecard Menu, you can see a date and time-stamped record of the negotiation.



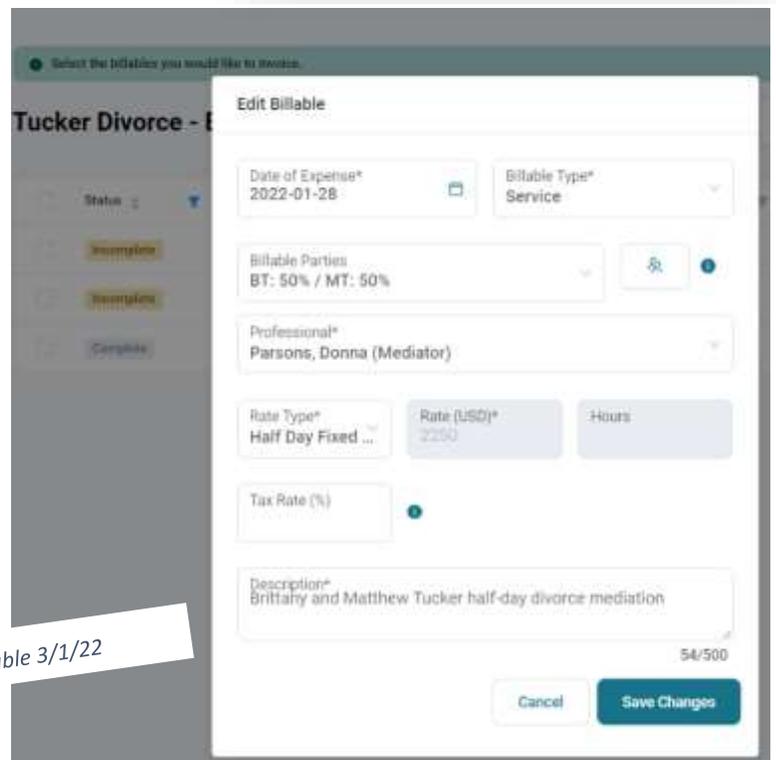
Other things you can try:

- In addition to the prioritized list of your client’s Issues, perhaps you also make a practice of compiling a similar list based on what you believe *the other party’s* priorities are, in order to get a fuller understanding and identify leverage points. That’s easy to do in ADR Notable. When adding an item, hit the “Brittany” attribution button or type “@BT” in your Note for Brittany’s list of Issues and the “Matt” button or type “@MT” for Matt’s list.
- Create some Fact Notecards and link them to the relevant Issue(s) by dragging the Fact Notecard to the Issue Notecard and dropping it there.

- Start a Caucus Session timer at the top of the Noteboard and then add a couple of Notes. You will see the  icon in the upper right of the Notecard and the note text will be blurred. This is both to remind you that this was said during a caucus session and to prevent anyone in an in-person session from seeing it on your screen. You can unblur the Note in the Notecard Menu.



- After March 1, try creating a billable for Donna Parsons. She charges a flat rate for a ½-day session, so she creates a Billable for that before the session starts.

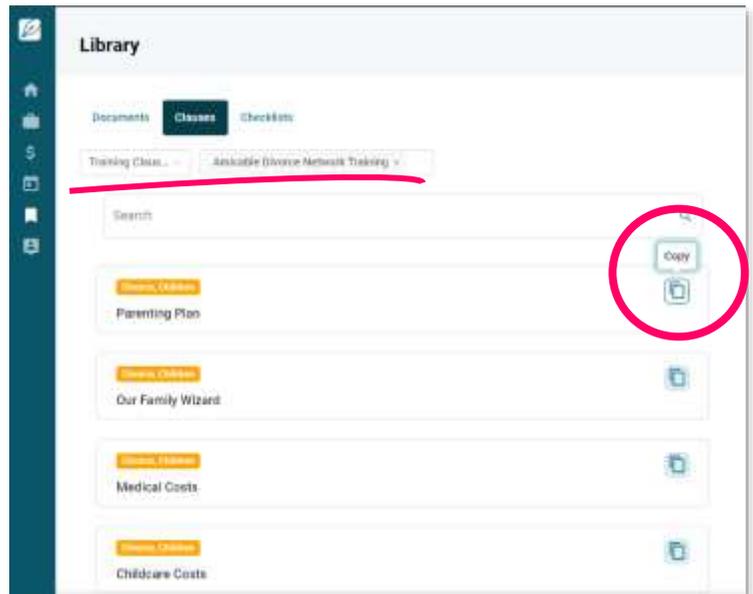
A screenshot of the 'Edit Billable' form in ADR Notable. The form is titled 'Tucker Divorce - Edit Billable'. It has several fields: 'Date of Expense*' (2022-01-28), 'Billable Type*' (Service), 'Billable Parties' (BT: 50% / MT: 50%), 'Professional*' (Parsons, Donna (Mediator)), 'Rate Type*' (Half Day Fixed ...), 'Rate (USD)*' (2250), 'Hours', 'Tax Rate (%)', and 'Description*' (Brittany and Matthew Tucker half-day divorce mediation). There are 'Cancel' and 'Save Changes' buttons at the bottom. A small '54/500' is visible in the bottom right corner.

Available 3/1/22

#5 Create an Informal Memorandum of Agreement

Jack Elliott and Joanna Robbins will be creating the formal agreement, but Donna Parsons wants the parties to leave the mediation session with a record, in writing, of what they have agreed to.

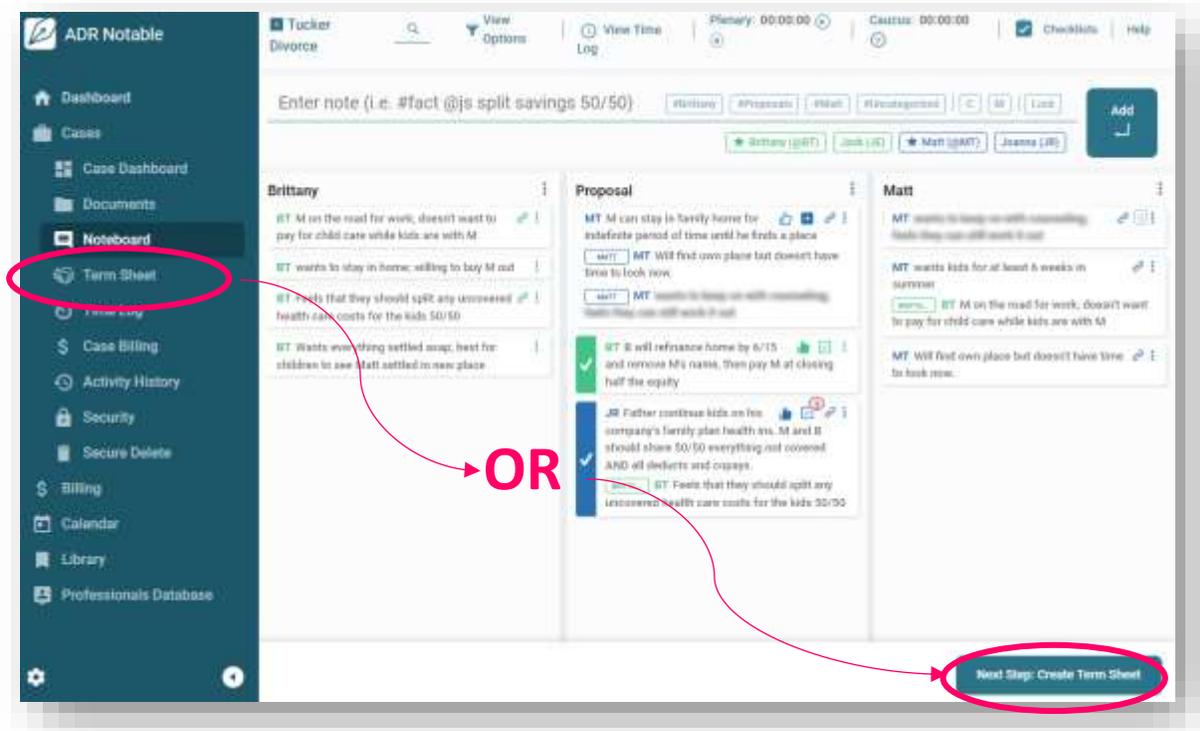
Before you do this, go to your Library and copy some or all of the Amicable Divorce Network Clauses into your personal Clauses: Go to **Library > Clauses > Training Clauses > Amicable Divorce Network**. Then hit the **Copy** button for each clause you want to have available when you create a document.



Now return to your Noteboard. Make sure that you have a couple of Proposals that have been agreed upon. If not, add these two proposals and select the “thumbs up” button for each.

- *M will keep children on his health plan. M and B will share copays, deductibles, and uncovered costs (incl. orthodontia) 50/50*
- *B will refinance home by 6/15 and remove M’s name, then pay M. at closing ½ the equity.*

Go the Term Sheet creator using either the Menu item or the button in the lower right corner.



You will see that the agreed-upon proposals have been automatically brought in and you can edit/finalize them here as you wish. You can also pull in Clauses from your Library into the Preamble, Agreements, and “Other Terms” sections.

This means that once your Library is set up, this whole process takes minutes!

In this example...

Memorandum of Agreement		Parsons Mediation, LLC
Case:	Tucker Divorce	
Date:	Monday, February 7th 2022	
Mediator(s):	Parsons, Donna;	

Preamble

Although this Memorandum is drafted in a form resembling an Agreement, and may be referred to as "The Agreement," it is not intended to be interpreted as a binding agreement between the parties until reviewed by legal counsel.

It is intended that this Memorandum will form the basis for a formal settlement agreement between Brittany Tucker and Matthew Tucker and is signed by all parties as a show of good faith in the agreements that are stipulated below. A copy of this Memorandum has been provided to each party on January 28, 2022.

Agreements

During the course of the mediation session, the parties agreed to the following:

- The parties agree to use Our Family Wizard for all communication except in an emergency. Wife shall set up an account in OFW by February 4, 2022 and shall send Husband an invite. Husband shall set up his account within 5 days of receiving the invitation from Wife. Each party shall be responsible for their own costs for OFW annually.
- Matthew will continue to carry the children on his company's family health insurance plan and will cover the employee's share of the premiums. Matthew and Brittany will equally share medical expenses not covered by the plan and all deductibles and copays.
- B will refinance home by 6/15 and remove M's name, then pay M at closing half the equity.
- Both parents agree to protect their children by not exposing them to any use of illicit drugs or alcohol while the children are in the care of either parent, and they agree not to drive the children while under the influence of alcohol or any illicit drug.
- Both parties shall have full access to any and all educational and/or medical records (e.g., report cards and doctor's reports) or information relating to the children. Both parties shall have the right to obtain this information directly from the educational institution or medical care provider. Both parties are entitled to attend any and all parent/teacher conferences, school functions and/or extracurricular activities.

Other Terms / Non-Digital Signatures

The parties agree individually to maintain complete confidentiality concerning any details of the mediation process including, any positions, arguments, negotiations or terms of the final agreement.

The Mediator may authenticate this Memorandum and the signatures of the parties (if executed in her presence), but cannot otherwise be compelled to testify, produce, or give any other evidence in any proceeding.

These two "preamble" clauses were added from My Library and Donna filled in the names and the date.

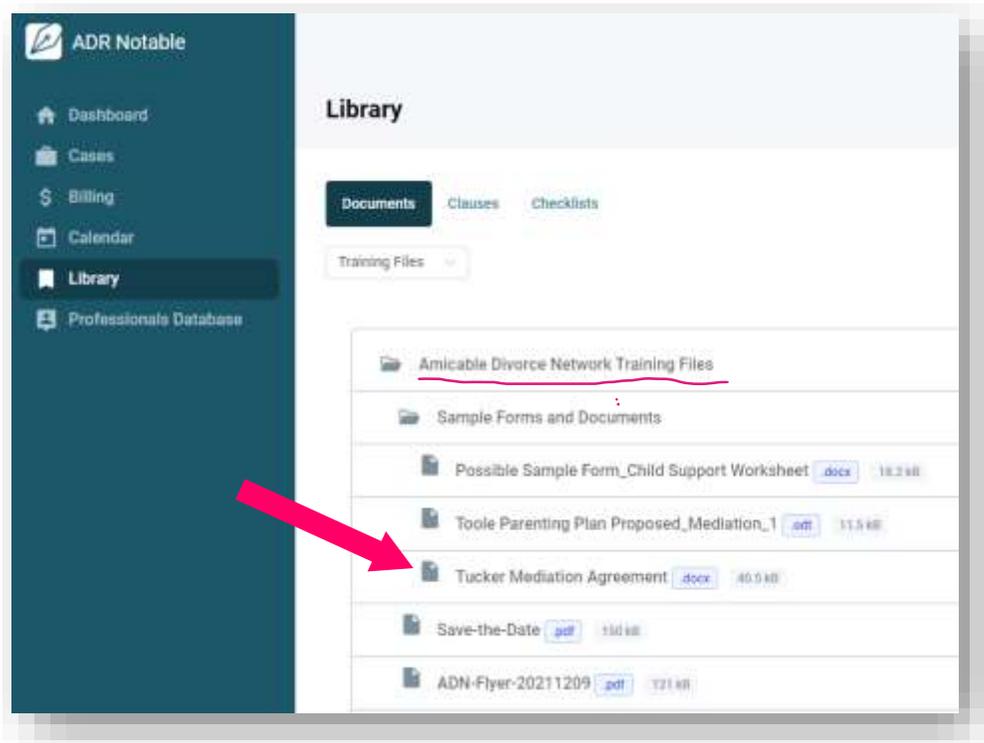
This Our Family Wizard clause was copied to My Library from the ADN Training Materials Library

These two clauses were automatically brought in from the Noteboard and Donna edited them here.

These clauses – standard language that Donna uses for all MoUs -- were all added from My Library.

Other things you can try:

- See how you can prepare a Term Sheet during a 15-minute break **then** review it in a Zoom call, make final edits, and have everyone e-sign it right there. Watch a 4+ minute video to see the entire process: <https://vimeo.com/manage/videos/646625544>
- Save the MoU as a PDF then email it to the attorneys. If you entered the attorneys' emails as "your gmail+JE@gmail.com" and "your gmail+JR@gmail.com" you will see what they would receive from you.
- What enhancements to the Term Sheet are on ADR Notable's product roadmap? Well, keep your eye out for...
 - Flexibility to create documents other than a Term Sheet (for example, the Settlement Proposal that Jack Elliot was creating earlier in this document).
 - Integration with other digital signing apps.
- In ADR Notable, go to Library > Training Files to see the actual Tucker Mediation Agreement.



Thanks for trying ADR Notable!

If we can help,

- hit the **Help** button in the upper right corner of the App (app.adrnotable.com) to check out the Knowledge Base or to submit a question.
- You can also go to adrnotable.com/adn to sign up for a Demo
- or [send Kimberlee an email](#).