

MEDIATION AGREEMENT



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1. The goal of mediation is to reach a mutually acceptable settlement agreement which resolves all or a part of the issues in this case.
2. In order for mediation to be an effective process, all issues must be negotiated in good faith. Therefore, it is essential that both clients share all information.
3. Mediation is a confidential process. Any and all documents provided to or prepared by the mediator will remain confidential and will be destroyed at the conclusion of the mediation. The mediator will not issue a report or disclose any information about the mediation to a judge or to any other person.
4. One or more meetings will be held until resolution is reached on all issues, or a determination is made that resolution is impossible. Some meetings are held with both clients, and there may be sessions or parts of sessions held with each of the clients separately. The content of separate sessions will remain confidential.
5. The mediator is a neutral, impartial third person whose job is to help the clients explore options and obtain information, so that they can reach an agreement that will work for both of them. The mediator does not make decisions; the clients do.
6. Neither the mediator nor his records can be subpoenaed into any arbitration or court action. The mediator will not represent or be a witness for or against either client in any court action.
7. The mediator will terminate the mediation session if it is not productive or if either client breaches this agreement.
8. Although the mediator is an attorney, he does not represent either client or give legal or tax advice during the mediation.
9. The mediator has a legal duty to report child abuse and neglect.
10. The fee for each mediation session is \$225.00 per hour, payable at the end of each session unless other arrangements are made. Time is charged to the nearest tenth of an hour.
11. Preparation of documents will also be billed at the rate of \$225.00 per hour. It is understood that in the majority of mediations the parties will have attorneys who will prepare the necessary legal documents. The mediator in most instances where attorneys are not present will prepare a Memorandum of Understanding which will be provided to the attorneys.
12. The mediator's fee will be paid by the parties according to the following percentages:
Petitioner _____%; Respondent _____%.

We have read, understood and agree to be bound by the above and foregoing.

_____ Dated: _____
Petitioner

Respondent

Mediator