

AGREEMENT TO MEDIATE

1. The parties agree to try to resolve this matter through mediation. The parties understand that resolution during mediation is entirely voluntary.
2. The parties understand that the mediator has no power to decide and will not express an opinion about right or wrong. Rather, the mediator is going to try to help the parties reach their own resolution of this matter by facilitating the discussion.
3. The parties understand that the mediator is not going to act as an advocate for any participant.
4. The parties understand that the purpose of mediation is to explore whether the parties can reach a resolution, not to gather information for a hearing or trial.
5. The parties understand that under federal and state statutes on rules of evidence, they may not subpoena the mediator or any observer to testify about what was said in mediation.
6. The mediation session will not be recorded by anyone (either video or audio) and no transcript of the session will be produced.
7. The parties understand that no participant will be bound by anything said or done in mediation unless and until there is a written mediation agreement signed by the parties.
8. The parties understand that everything said in the mediation session is confidential unless the parties agree to disclose to others anything discussed in the mediation or set forth in the agreement. The only circumstances that permit the mediator to break confidentiality is if she reasonably believes another person may be in danger of harm or has a reasonable suspicion of child abuse that the law requires her to report.
9. The parties agree to compensate the mediator at her hourly rate of \$150.00 for a full or partial hour with payment to be divided equally between the parties unless they agree otherwise.