

## Request to Mediate

We request mediation services from \_\_\_\_\_ (hereinafter called “the mediator”) upon understanding and consenting to the following:

1. Role of the mediator is to facilitate smooth dialogue among the parties and it is ultimately the decision of the parties to or not reach agreement. Further we understand that mediation services will not be construed as financial advice, therapy or any professional service other than mediation. The mediation service also will not be construed as legal advice unless the mediator clarifies it as “legal advice”.

2. Mediation is a voluntary process, and we have the option of terminating it at any time. We also understand that the mediator has the option of terminating the mediation if he should conclude that continuance of mediation would not be beneficial.

### 3. Confidentiality

(1) Mediation is a confidential process. All case files, and all statements made in the mediation that relate to the subject matter of the dispute are protected by the requirement of confidentiality. We promise that we will not disclose the content of mediation to third parties.

(2) We will not subpoena the mediator or the case files in any future court or judicial proceedings.

(3) We agree to pay for all legal fees and associated costs incurred by the mediator to challenge any subpoena issued regarding the mediation

(4) (1) to (3) above notwithstanding, the mediator reserves the right to disclose to proper authorities the information if he concludes that there has been abuse or neglect to any person or that crime has been committed.

4. Audio or video recording by any means is not permitted and we will not audio or video record any part of the mediation or pre-mediation process. We also understand that the mediator or any other participant to the mediation will be bound by the same rule.

5. The mediator will set forth any agreement reached in the mediation in a Memorandum of Understanding or other written document. A memorandum of understanding will not be considered a legal contract.

Signed by the parties

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