

## MEDIATION AGREEMENT

**We understand and agree to all of the following statements:**

1. We both participate in mediation voluntarily. We will make an effort to reach agreement. However, if mediation is not helpful, either of us can choose to return to court.
2. Many cases require more than one session. We agree to attend all scheduled sessions.
3. Usually, the parents are together during a session. The mediator may meet with a parent alone. What that parent says alone with the mediator will be private unless he/she agrees to share with the other parent.
4. The mediator:
  - Will try to help us reach our own agreement
  - Will keep our discussions confidential
  - Will help us write an agreement
  - May notify the proper authorities if there is a report of child abuse or neglect or a threat of harm to the other parent or another person
5. The mediator will not:
  - tell us what we should do
  - give legal advice to either parent
  - act as a counselor or therapist, but may ask about a child's needs or whether a parenting plan can work
  - testify in court about anything said or done in the session
  - provide notes or draft agreements used in the session for use in our hearing or trial
6. Nobody can record a mediation session.
7. If we reach an agreement, we may sign and file the agreement with the court. The agreement will become part of the court record. Either of us may talk to an attorney before signing an agreement.
8. Nothing that we said or did in mediation is part of an agreement unless it is in writing and signed by both of us. The mediator will notify the court if we did not reach agreement.
9. Neither of us may testify at our hearing or trial about anything said or done in mediation except to tell the judge about our written agreement.
10. We understand that the Court System provides a limited number of hours of mediation on issues related to our children at no cost to either party. If the limit is reached or if we want to mediate on other issues such as property, we may be required to pay the mediator.

**The mediator has reviewed this agreement with us and we agree with all its terms.**

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Parent

\_\_\_\_\_

Date

\_\_\_\_\_

Parent

\_\_\_\_\_

Date

\_\_\_\_\_

Mediator

\_\_\_\_\_

Date