

Date: \_\_\_\_\_

### GUIDELINES FOR MEDIATION

I understand that I have been referred to mediation in an effort to reach an agreement in the issues of my case. I am aware of my responsibility to make a good faith effort to discuss and attempt settlement of this case. Should it be impossible, however, to reach an agreement through mediation, I understand that my case will then proceed in a regular fashion through the court process.

I further understand that the mediation services provided through the Coweta Judicial Circuit ADR Program do not include legal or financial advice. Therefore, I should not rely on the mediators for such advice or representation, but should seek it, as needed, through my attorney or a qualified, professional financial advisor.

I understand that the Coweta Judicial Circuit ADR Program, its Program Director and/or staff, the mediator or any observers are not responsible for the result of the mediation. I understand the mediation is confidential; therefore, I will not subpoena the mediators, regarding this mediation in the event of a subsequent action. Likewise, I will not subpoena any document(s) generated in connection with the mediation. I understand that this confidentiality does not extend to a situation in which there are threats of imminent violence to self or others; or the mediator reasonably believed that a child is abused or that the safety of any party or third person is in danger.

The parties agree that the mediator has the right to end the mediation at any time if the mediator feels that the case is inappropriate for mediation or that further discussions would not be helpful.

\_\_\_\_\_  
Mediator

\_\_\_\_\_  
Complainant

\_\_\_\_\_  
Observer

\_\_\_\_\_  
Attorney for Complainant

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Attorney for Respondent

COWETA JUDICIAL CIRCUIT ADR PROGRAM  
THE MEDIATION CENTER, 100 Ridley Ave., Suite 2500, LaGrange, GA 30240  
Phone 706-883-2168/2170/2171 Fax: 706-883-2169/298-3732  
“*Abbreviated Procedures and Policies*”

**CASE INITIATION:**

The Mediation Initiation Form should be completed in full and mailed or faxed to the Coweta Judicial Circuit ADR Office in LaGrange. The case should be initiated a minimum of 45 days prior to an anticipated final hearing or trial date. ADR staff will conduct an intake process with parties and answer questions. If attorneys plan to attend the mediation session, this must be indicated on the initiation form in order for their schedules to be taken into consideration during scheduling process.

**NOTE:** Not all cases are appropriate for mediation. If any party has questions or concerns about whether a case is appropriate for mediation because of allegations of domestic violence, child abuse, or any other special circumstances, please advise the ADR Office of those concerns. Additional screening may be necessary to decide as to whether mediation is appropriate. Please contact this office if you need any additional information or need assistance in this area.

**MEDIATOR ASSIGNMENT/SELECTION AND FEES:**

The ADR Office assigns mediators to cases on a rotational basis from its list of program-approved mediators. Parties may select their own mediator and negotiate a fee, provided the mediator is registered with the Ga. Office of Dispute Resolution. If the parties have selected a mediator, this must be indicated in writing and attached to the initiation form when the case is submitted to the ADR Office.

If the ADR Office assigns the mediator, the fee will be \$100.00 per hour with a minimum of two hours (each party will be responsible for the \$100.00 payable to the mediator); additional hours will cost \$100.00 per hour and be shared equally. The parties must be prepared to pay the mediator at the time of the session. Requests for fee reduction or waiver due to a party's inability to pay must be made to the Coweta Circuit Office prior to the session on the appropriate form (copies are available from the ADR Office).

**SCHEDULING:**

The ADR Office schedules the case and notifies all parties and attorneys in writing as to the date, time and location of the session. Consideration will be given to parties' and attorneys' desired dates and times during the scheduling process. However, if scheduling conflicts arise, the ADR Office will set the appointment; once the session is scheduled, no unilateral canceling or rescheduling is permitted. If an appointment must be changed due to legal conflict, notice pursuant to Uniform Superior Court Rule 17.1 must be presented to the ADR Office. If a party fails to appear at a duly noticed mediation session or fails to give 48 hours notice of cancellation, said party may be responsible for the mediator's fee, not to exceed \$200.

**SPECIAL INSTRUCTIONS & INFORMATION:**

In domestic cases, pursuant to U.S.C.R. 24.2, the parties are required to bring copies of their financial affidavits if the issues of child support, alimony, property division, or attorney's fees are to be mediated. If children's issues (custody, support, visitation) are to be mediated, the parties are required to attend the parent seminar prior to scheduling the mediation session.

All relevant information pertinent to the issues to be discussed should be brought to the session. Child support worksheets and supporting schedules are necessary when child support is being mediated. Failure to bring the required information may cause adjournment of the first session and rescheduling at a time when the information is available.

Someone with full authority to settle the dispute must be present at the session. Attorneys of record are welcome at the mediation session, but are not required. No legal or financial advice is given by the mediator or program staff. It is the party's decision as to whether their attorney attends the mediation. Unless otherwise noted in the agreement, parties unrepresented by counsel during the mediation will have 3 days to have any agreement reviewed and approved by counsel.

