

The Mediation Agency

The undersigned (Parties and Witnesses) agree to the below terms of confidentiality in mediation:

- The parties agree to try to resolve this case through mediation. The parties understand that settlement during mediation is entirely voluntary.
- The parties understand that The Mediation Agency and their agent Mediator has no power to decide who wins or loses this case and will not express an opinion on who is right or wrong. Rather, the Mediator is going to try to help the parties reach their own resolution of this case by facilitating the discussion.
- The parties understand that the Mediator is not going to act as an advocate or attorney for any participant and that each party has the right to have a representative during mediation.
- The parties recognize that all mediation conference communications are strictly confidential and 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. The parties agree not to subpoena the Mediator or any observer to testify about what was said in mediation.
- The Mediator and all parties to the mediation process agree not to voluntarily testify on behalf of any party and will not report anything said during this mediation UNLESS one of the participants makes a genuine threat of physical harm, or a report of criminal activity or fraud.
- The mediation session will not be recorded by anyone (either video or audio) and no transcription of the session will be produced.
- The parties understand that any documents prepared for or during mediation (such as case summaries presented to the Mediator or notes taken by the Mediator) are for settlement purposes only and may not be subpoenaed for, or used in, a hearing or trial.
- The parties understand that no participant will be bound by anything said or done in mediation, unless and until there is a written settlement agreement.

Dated this ____ day of _____, 200_.

Signed: _____	Party: _____
Mediator	
_____	Party: _____
Mediator	
	Party: _____
	Party: _____