

BRONX COUNTY MATRIMONIAL MEDIATION PROGRAM- AGREEMENT TO MEDIATE

1. We understand that we are allowed one free, 90-minute initial mediation session. If we choose to continue beyond the initial 90-minutes, we, the parties, will pay the mediator at a rate agreed upon beforehand.
2. We understand that mediation is voluntary; we can choose which points to discuss and we can, with good cause, opt-out of mediation and must return to Court.
3. We understand that if we do not work out an issue in mediation, we can return to Court.
4. We understand that we are each free to talk with a lawyer now, before, during or after the mediation sessions.
5. We understand that the mediator is not acting as a lawyer for either of us and will not be giving legal advice or opinions on the law. The mediator may share with us legal information.
6. Except for certain allegations including child abuse or threats of imminent harm, we understand that what is said during this process will be confidential. The mediator agrees not to reveal any oral or written communications to others, including the Court, without the consent of all parties.
7. We agree that if we proceed in the litigation in Court, we will not testify about what occurred in the mediation. We will not ask the mediator or the other party to present evidence about what happened in the mediation, and we will not demand any documents prepared for the mediation, unless it is allowed by law.
8. We understand that the mediator shall be immune from litigation to the extent allowed by law.
9. We understand that all stipulations of settlement entered by the parties and their attorneys at the conclusion of the mediation are subject to final approval of the assigned judge.

Case Name

Index Number

(Plaintiff - Signature)

(Defendant B Signature)

(Print name)

(Print name)

(Attorney for Plaintiff - Signature)

(Attorney for Defendant B Signature)

(Print name)

(Print name)

(Mediator - Signature)

(Date)