

**3rd JD ALTERNATIVE DISPUTE RESOLUTION (ADR) PARTICIPANT
STATEMENT OF UNDERSTANDING**

1. We understand that if a Neutral from the Roster was selected by the Court, the first ninety (90) minutes of the initial ADR session will be free as well as the Neutrals preparation time for the first 90-minute session. Thereafter, if we agree to continue ADR past the first 90-minutes, we will be billed at no more than \$350.00 per hour (per the "Neutral Fee Agreement").
2. We understand that ADR is voluntary; we can choose which points to discuss.
3. We understand that if we do not work out an issue or resolve our case, we can return to Court.
4. We understand that we are each free to talk with a lawyer now, during or after the ADR session(s).
5. We understand that the Neutral is not acting as a lawyer for either of us and will not be providing legal advice or opinions on the law. The Neutral may share with us legal information.
6. Except for allegations of child abuse or neglect, threats of imminent serious harm and information regarding the scheduling, attendance and participation at ADR sessions, and the Neutral's report, we understand that what is said during this process is confidential. The Neutral agrees not to reveal any oral or written communications to others without the consent of all parties.
7. We agree that if we do go to court, we will not testify about what happened in ADR, however, documents and information otherwise discoverable under the CPLR shall not be shielded from discovery merely because they are submitted or referred to in ADR.
8. We will not ask the Neutral or the other party to testify or give evidence about what happened in the ADR session(s) and we will not demand anything prepared for ADR or compel the Neutral to produce any documents prepared for ADR or notes of the Neutral unless it is allowed by law.
9. We understand that the Neutral shall be immune from suit, indemnified and held harmless to the extent allowed by law.

Plaintiff/Petitioner

Defendant/Respondent

(Print Name)

(Print Name)

Attorney for Plaintiff/Petitioner

Attorney for Defendant/Respondent

(Print Name)

(Print Name)

Neutral

Date