

Dear Counsel/Litigant:

If you have a case pending in Supreme Court, Civil/Commercial Division for the Seventh Judicial District, this Court has a free Mediation Program that provides full mediation at no cost. The mediations are conducted by Court Mediators Adrian J. Burke, Esq. and Amy L. DiFranco, Esq. Everything that takes place during the mediation is confidential. All mediations at this time are taking place via computer conference technology, namely Microsoft Teams. If you are ultimately unable to resolve your matter in mediation, the case is simply restored to the Court's calendar.

### **Why Mediate?**

Mediation offers the following benefits:

1. Allows the parties to maintain control over the outcome of their claims
2. Improves parties' satisfaction with the process
3. Saves money
4. Speeds settlement and resolution of litigation

The Court system strongly encourages you to mediate your case at the earliest possible time, especially during this time when courts are working at reduced capacity. However, acceptance into the program requires that all parties voluntarily consent to be referred to mediation. In addition to obtaining a referral to mediation through an Order of Referral to Mediation entered by the assigned judge, we are now offering access to Court Mediation where the parties execute and file the attached Consent to Mediate. When the Consent is executed and filed, an Order of Referral to Mediation will be issued by the assigned justice. If a Consent is not filed, the case will remain with the assigned judge.

If all parties agree to try mediation, simply complete the attached Consent form and upload it to NYSCEF. A Court Mediator will then contact you to proceed with the mediation.

For more information, please contact Amy L. DiFranco at [ADR-7JD@nycourts.gov](mailto:ADR-7JD@nycourts.gov) or (585) 271-3680.

**SEVENTH JUDICIAL DISTRICT MEDIATION PROGRAM'S  
AGREEMENT TO MEDIATE - VOLUNTARY CONSENT FORM**

Case Name: \_\_\_\_\_

Index Number: \_\_\_\_\_ County: \_\_\_\_\_

1. We have discussed with our respective clients and with opposing counsel the option to engage in the Court's Mediation Program.
2. Our clients wish to engage in the Court's Mediation Program at this time.
3. We request that this case be referred to the Seventh Judicial District's Court Mediation Program.
4. We understand that all Orders issued by this Court in this matter are hereby stayed pending mediation unless otherwise ordered by the Court.

Counsel for Plaintiff \_\_\_\_\_:

Print and Sign: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_

Email: \_\_\_\_\_

Counsel for Defendant \_\_\_\_\_:

Print and Sign: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_

Email: \_\_\_\_\_

[ADD ADDITIONAL PARTIES/COUNSEL IF NECESSARY]