

FRAN BROCHSTEIN

Attorney & Mediator

713-847-6000

713-805-9591 cell

www.familylaw4u.com

fran@familylaw4u.com

AGREEMENT TO MEDIATE IN PERSON

I understand that mediation is a confidential process. Neither party can reveal what was discussed at mediation with the Judge. If we do not settle at mediation, then I understand that all offers are withdrawn. I understand that mediation is a private process in which an impartial person (the mediator) encourages and facilitates communications between parties and strives to promote reconciliation, settlement and/or understanding. The mediator will not render a decision on the issues in dispute. The primary responsibility for the resolution of a dispute rests with the parties.

I understand that mediation is an informal settlement conference. The sole purpose of mediation is to attempt to resolve the case on a basis acceptable to both parties to the case. Mediation attempts to resolve disputes with an agreement that both parties can live with in the future. In the mediation process, the parties explore the possibility of making agreements that will affect their legal rights concerning children and property.

I am not aware of any possible conflicts that affect the mediator's neutrality.

I understand that the mediator cannot give legal advice and/or other professional advice to the parties. The mediator won't give any tax or investment advice.

I understand that the mediator is a neutral intermediary and may not act as an advocate for any party.

I will not record the mediation session.

I am mentally competent (not impaired by drugs, mental illness and/or alcohol) to enter into a binding legal agreement at mediation.

I understand that the mediator should encourage the disclosure of all relevant information and should assist the parties in considering the benefits, risk, and the alternatives available to them.

I understand that I must pay the mediation fee and sign this piece of paper before the mediation will begin. I understand that the fee is \$300 per party for the first 4 hours then \$75 per party per hour. I will pay the amount due in full before I leave the mediation.

I will remain at the mediation until the mediator declares an impasse or we sign a Mediated Settlement Agreement. I understand that if I walk out of the mediation that the judge will be advised that I left before an impasse was declared by the mediator.

If a Mediated Settlement Agreement is reached and a document is prepared, I have been advised to have the settlement agreement reviewed by an attorney before signing.

I have read the document "General Rules for Mediation" and I understand them.

Signature & Date Signed