

MEDIATION AND CONFIDENTIALITY AGREEMENT – ADULT GUARDIANSHIP

I understand and agree to all of the following statements:

1. Mediation is a time for the parties and others to have a private, confidential conversation. Everyone comes to mediation voluntarily. If mediation is not helpful, any party can choose to return to court. The mediator can end mediation if they feel that it is not helpful or appropriate.
2. Nobody can record a mediation session.
3. Nobody can talk about what was said or done in mediation, except to discuss the case with other participants or your lawyer. Any participant can talk to their attorney before signing an agreement.
4. The participants are usually all together for the mediation. The mediator may talk with participants separately. Separate discussions with the mediator will be private unless the participant(s) agree to share with the rest of the group.
5. The mediator:
 - Will try to help us reach our own agreement
 - Will keep our discussions confidential
 - Will help us write an agreement
 - May notify the proper authorities if there is a new report of child abuse or neglect or if anyone threatens to harm another person or him/herself.
6. The mediator will not:
 - tell us what we should do
 - give legal advice to anyone
 - testify in court about anything said or done in the session
 - provide notes or draft agreements used in the session for use in a hearing or trial
 - act as a counselor or therapist, but may ask about a family’s needs or whether a proposed agreement can work
7. Nothing said or done in mediation is part of an agreement unless it is in writing and signed by all participants. The mediator will notify the court if we did not reach agreement.
8. If we reach an agreement, we may sign and file the agreement with the court. If the agreement is filed, it will become part of the court record. If the participants decide not to file the agreement with the court, the agreement will say that it won’t be filed.
9. No one may testify at a hearing or trial about anything said or done in mediation except that we can talk to the judge about a written agreement that is filed with the court.

The mediator has reviewed this agreement with me and I agree with all its terms.

Signature (Mediator)	Print Name (Mediator)	Date	
Signature	Print Name	Relationship to Respondent	Date
Signature	Print Name	Relationship to Respondent	Date
Signature	Print Name	Relationship to Respondent	Date
Signature	Print Name	Relationship to Respondent	Date