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Mediation Process

We conduct mediations through private retention and pursuant to Court Order mandating it.

- Most mediations are conducted via zoom (we will provide the link). Please advise if the parties prefer live mediation at the time of scheduling and whether the parties require conference space.
- Mediation is a confidential process. Parties, their attorneys and insurers (as applicable) are expected to attend with full authority to resolve the matter pursuant to the Rules of Civil Procedure 1.720.
- Non-parties are not permitted to attend without the consent of all other parties to the mediation.
- Failure to attend court-ordered mediation is reflected in mediator's report to the court.

Before the Mediation

- Parties are encouraged, but not required, to submit a summary of the case before the mediation. This may include a proffer of facts, limited evidence, and legal argument. Submissions to the mediator are confidential, and parties need not share their submissions with the other side. Please be efficient in submission of evidence as submissions will be reviewed in their entirety.
- No specific format is required.

At the Mediation – Typical Process

- Typically, mediation is conducted in open caucus with all parties present – each party will be provided the opportunity to fully state their respective positions.
- At the conclusion of the openings the parties will separate into private rooms (set up by mediator if zoom proceeding).
- Information provided to mediator in private rooms will be used to achieve resolution if possible. Please inform the mediator of any confidential information not to be expressed to any other parties. All such instructions will be honored.

After the Mediation

- The mediator will provide a short-form mediated settlement agreement at the request of the parties with all parties remaining present until completed.
- The mediator will file a report with the court affirming the mediation occurred, the attendance of the parties, and disposition of mediation.