

LRMM 3.
MEDIATION PROCESS

(a) Required Materials. At least two days before mediation proceedings, each party will submit to the mediator proposed orders sought to be entered by the court or equivalent written statements of the resolution of all contested issues subject to mediation. When support issues are being mediated, each party will include a financial declaration and completed child support worksheets. When characterization, valuation, and/or division of assets or debts is being mediated, each party shall submit a statement in the form required by LR 15. The parties shall timely submit any additional materials requested by the mediator. Materials submitted to the mediator shall not be filed with the Clerk of court.

(b) Good Faith Obligation. The parties shall mediate in good faith. Failure to fully participate in mediation, including failure to submit required materials, refusal to discuss a contested issue, or refusal to consider a proposed resolution, shall be evidence of lack of good faith. A party may be sanctioned for failing to mediate in good faith; sanctions may include assessment of all costs of mediation, an award of attorney fees and costs to a party participating in good faith, or other sanctions ordered by the court.

(c) Appearance. For good cause shown, the mediator may permit any participant in mediation to appear by telephone. At the mediator's discretion, persons other than the parties and their attorneys may be permitted to attend the mediation, Provided, that a party seeking permission for a non-party to attend shall give reasonable advance written notice of the request to every opposing party.

(d) Agreement. Any agreement between the parties reached during the mediation process shall be reduced to writing before conclusion of the mediation and shall be endorsed by all parties, participating attorneys, and the mediator. The mediator may, upon notice to a person participating by telephone, endorse the agreement on behalf of that person. The mediator will cause a copy of the endorsed agreement to be provided to each party before conclusion of the mediation.

[Adopted May 27, 2012]
