

WARREN COUNTY COMMON PLEAS COURT
GENERAL DIVISION
500 Justice Drive
Lebanon, OH 45036

TERMS OF MEDIATION

Case No: _____ **Mediator:** _____

Date of Mediation: _____

1. The mediator is not acting as a judge or magistrate over this case and has no authority to force the participants to reach an agreement. The mediator is an impartial facilitator. The mediator is not an advocate for any participant in the mediation. An agreement shall be reached only if the participants believe the agreement is fair and in their best interests.
2. The mediator and the participants agree that there are no potential conflicts of interest that may prevent or interfere with the mediation process.
3. The mediator and each participant have the right to withdraw from mediation at any time. The participants understand that the Court shall be notified of a participant's withdrawal from mediation and the withdrawal may result in court action.
4. The mediator is not authorized to give the participants legal advice at any time. The mediator and/or the participants have the right to consult an attorney at any time during the mediation.
5. The mediator is required to notify the Court of (1) whether the mediation took place; (2) the names of the individuals and/or their attorneys that attended the mediation; and (3) whether or not the mediation resulted in a settlement of the court case. All other verbal and written communications that occur during the mediation process are confidential, privileged, and may not be used against any participant in any court proceeding, unless otherwise agreed to by the participants in writing to be disclosed. However, the mediator must inform the Court or report to the appropriate authorities certain information, including (1) allegations of abuse or neglect; (2) certain threats of harm to other people or to oneself; (3) statements made during the mediation process that indicate a plan to hide an ongoing crime; and (4) statements made during the mediation process that reveal evidence of the commission of a felony.
6. Any agreements that may be reached by the participants of this mediation do not modify or replace any court orders. If the participants wish to have this agreement memorialized as an order of the court, the agreement must be presented to the Court by the parties in the form of an agreed order.

7. To the extent allowed by law, the participants agree to include the following additional provisions to these terms of mediation and/or concerning confidentiality:

By signing below, the participant(s) acknowledge reading, understanding, and agreeing to the above terms of mediation.

_____	_____	_____	_____
Signature	Date	Signature	Date

_____	_____	_____	_____
Signature	Date	Signature	Date

_____	_____	_____	_____
Signature	Date	Signature	Date

**IN THE COURT OF COMMON PLEAS
COUNTY OF WARREN, STATE OF OHIO
GENERAL DIVISION**

_____, : **CASE NO:** _____
Plaintiff(s), : **JUDGE** _____
v. :
 : **MEDIATION REPORT**
_____, :
Defendant(s). :

DATE OF MEDIATION:

PARTIES PRESENT AT MEDIATION:
(include attorneys, clients, and insurance adjustors)

RESULT/STATUS OF MEDIATION:

COMMENTS:

MEDIATOR SIGNATURE

**IN THE COURT OF COMMON PLEAS
COUNTY OF WARREN, STATE OF OHIO
GENERAL DIVISION**

_____, : **CASE NO:** _____
Plaintiff(s), : **JUDGE** _____
v. :
: **ORDER TO PAY MEDIATOR**
_____, :
Defendant(s). :

The undersigned attorney, being a duly appointed mediator in the above-captioned action, hereby applies to the Court pursuant to the Warren County Local Rules for payment of mediator fees in the amount of \$750 or \$_____. If fees exceeding \$750 are requested, the reason for such a request is as follows: _____

_____.

Respectfully submitted,

MEDIATOR SIGNATURE

MEDIATOR PRINTED NAME

MEDIATOR ADDRESS

ORDER OF THE COURT

Upon application of the above-named mediator, the Court finds the application of the mediator to be proper in all respects. Accordingly, it is hereby the **ORDER** of the Court that the Auditor issue a warrant payable to the above-named mediator in the amount of \$750 or _____. Said amount to be paid from the Court's budget.

JUDGE

**WARREN COUNTY COMMON PLEAS COURT
MEDIATION PARTICIPANT SURVEY**

*This survey is entirely confidential and kept exclusively by
the Warren County Common Pleas Court, General Division, for its records*

I am (check one): Party Participant Attorney Observer
 Family Member Support Person
 Other (Please Specify): _____

1. When did your mediation take place? Date: _____
2. Did you reach an agreement in the mediation?
 No Agreement Partial Agreement Full Agreement
3. How do you feel about the outcome of mediation?
 It was fair It was unfair
4. Do you feel the mediator was neutral and impartial?
 Yes, the mediator was neutral and impartial
 No, the mediator favored me
 No, the mediator favored the other party
5. Do you feel the mediator provided you sufficient opportunity to explain your view of the dispute?
 Yes No
6. How well would you say the mediator understood your view of the dispute?
 Very well Somewhat Not at all
7. Do you feel you were able to participate in the outcome of your dispute?
 Yes, definitely I had some input No, my views were ignored
8. Do you feel the mediation helped you understand the other party's views better?
 Yes No
9. Do you feel the mediation was conducted in a timely manner?
 Yes No
10. Overall, how satisfied are you with the experience of mediation?
 Very satisfied Satisfied Neither satisfied nor dissatisfied Dissatisfied Very dissatisfied
11. Would you recommend the Warren County Mediation Program to others in the future?
 Yes No
12. How has the mediation process helped you? _____

13. What, if anything, would have made the mediation process more helpful? _____

14. Other comments: _____

Thank you for your time. For feedback, recommendations, and/or concerns you may also contact:
The Warren County Common Pleas Court, Court Administrator
500 Justice Drive, Lebanon, OH 45036