NORTHERN VIRGINIA MEDIATION SERVICE
AGREEMENT TO PARTICIPATE IN MEDIATION

We, the undersigned, understand and agree to the following:

1. DEFINITION OF MEDIATION: A process in which a neutral (the mediator) assists parties to a conflict in finding a mutually acceptable solution to their dispute.

2. ROLE OF THE MEDIATORS: The mediators will facilitate discussion between the parties by assisting them in communicating, identifying and clarifying issues and exploring potential solutions. The mediators will use a facilitative style of mediation. The parties decide the outcome.

3. ROLE OF THE PARTIES: The parties will participate in good faith, work together and agree to treat each other with respect and courtesy.

4. CONFIDENTIALITY: By statute (Section 8.01-576.4-12), communications in mediation are confidential and may not be used in subsequent judicial or administrative proceedings, except for a) financial information used to determine child support; b) communications used to plan or commit a crime; c) threats of bodily injury; d) information otherwise discoverable by legal procedures; e) in any complaint for misconduct against an attorney or mediator who participates in the mediation process; f) in any legal action to vacate the agreement under 8.01-76.12; g) when the parties agree to waive confidentiality in writing, or h) as otherwise provided by law or rule; Also, allegations of child abuse and threats of personal harm may be disclosed by the mediators as reasonably necessary to prevent people from harm.

5. VOLUNTARY: Mediation is voluntary. The parties or the mediators may decide to stop the mediation at any time for any reason. If there is an order to mediate by a court, the parties are only required to attend an initial orientation session. No substantive information about the mediation is provided to the court or other referring agency.

6. JOINT & SEPARATE SESSIONS: The mediation will generally occur with all parties present. The mediators may also meet separately with each party.

7. LEGAL ADVICE: The mediators do not provide legal advice. Each party to the mediation has the opportunity to consult with independent legal counsel at any time and is encouraged to do so.

8. AGREEMENT: All terms of a settlement are non-binding until they are put into a written agreement ***and*** signed by all parties. Any mediated agreement may affect the legal rights of the parties. Each party to the mediation should have any draft agreement reviewed by independent counsel prior to signing the agreement.

Client Signature Date	Client Signature Date
Client's Attorney (if present) Date	Client's Attorney (if present) Date
Mediator Date	Mediator Date
Other Person Present Title Date	Other Person Present Title Date

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