

[COUNTY NAME], COUNTY, OHIO, COURT OF COMMON PLEAS [DOMESTIC RELATIONS][JUVENILE] DIVISION

RE: Case Name _____ Case No. _____

SAMPLE AGREEMENT TO MEDIATE

Case Number(s): _____

Date: _____

Mediator(s): _____

We understand and agree to the following:

The mediator is not acting as a judge or magistrate and has no authority to force parties to reach an agreement. An agreement shall be reached only if parties believe the agreement is fair and in their best interests. The mediator is not authorized to give parties legal advice at any time and the mediator and/or parties have the right to consult an attorney at any time during the mediation process.

The mediator is an impartial facilitator and is not an advocate for any party. The mediator and parties agree there are no potential conflicts of interest that may prevent or interfere with the mediation process. The mediator and each participant understand that each may withdraw from mediation at any time with further understanding that withdrawing from mediation may/may not result in further action of the Court.

Parties to this agreement understand and agree by signing this agreement, that what is said during the mediation process and any mediation communications (except for written agreements parties to an formal case wish to be made an Order of the Court, information parties mutually agree to be discussed outside of mediation, and/or information required to be disclosed by statute) resulting from this mediation process is confidential and that the aforementioned communications are privileged and may not be used against any participant in any Court Proceeding. However, the mediator may inform the Court or report to proper authorities certain information including 1) unreported allegations of abuse or neglect, 2) certain threats of harm to other people or oneself, 3) things said during the mediation process to plan or hide an ongoing crime, and 4) things said during the mediation process that reveal unreported felony and other criminal activity as required by statute. Absent a specific agreement between and among the parties otherwise, reporting of the aforementioned exceptions and/or disclosure of information as required by statute, the information the mediator provides to the Court is party attendance and the outcome of the mediation.

Any agreements that may be reached by the parties in this mediation do not modify or replace any Court Orders. If the parties wish to have a mutually achieved agreement made an Order of the Court in formal cases, it must be presented to the Court by the parties in the form of an agreed entry.

Signature Date

Signature Date

Signature Date

Mediator Date

To the extent allowed by law, parties may include certain other provisions to the mediation agreement and/or concerning confidentiality:

[expand as needed] _____

Initial/date:

