

SURROGATE'S COURT, COUNTY OF _____
MEDIATION FEE AGREEMENT

Directions: This Agreement is to be completed and signed by the parties prior to the start of the ___ minute non-compensable mediation period. The Mediator shall provide the parties with a copy of the signed Mediation Fee Agreement.

Surrogate: _____

Name of Case: _____

File Number: _____

1. As noted in the Order of Reference, _____ (hereinafter, the "Mediator") must provide ___ minutes of non-compensable mediation services. This ___ minute period does not include preparation time. The ___ minute period of non-compensable time will end at the time set forth in paragraph 5 below.
2. The parties agree that if they decide to continue with the mediation session, then the fees for mediation services will be charged at the rate set forth in paragraph 5 below.
3. The parties also agree that, if they decide to continue with the mediation today beyond the ___ minute non-compensable period, that the Mediator may charge them for any additional time spent on this matter that exceeded the ___ minute period as set forth in paragraph 5 below. The individuals signing below represent that they have full authority to bind the parties herein.
4. Should any party subpoena or otherwise require the Mediator to appear in any proceedings or require the production of the Mediator's records, then such party shall fully indemnify and hold the Mediator harmless from any costs (including but not limited to attorneys' fees) in connection with the Mediator's enforcement of this clause, regardless if the Mediator prevails. If the Mediator appears, produces documents, testifies, or is on call to testify, then the Party who has subpoenaed or called the Mediator shall be responsible to pay the expenses of the Mediator, and the usual hourly rate of the Mediator. If any non-party is given notice of this provision, then such non-party shall be bound hereby; and shall be responsible for all the costs, fees, expenses, and hourly compensation set forth herein, in addition to the Parties.
5. The non-compensable mediation time will conclude on _____ at: _____ AM/PM.

Mediator Hourly Rate is: \$ _____/hour.

6. The parties below agree to allocate any cost of mediation among them:

Equally

As Follows:

If the mediation ends before the expiration time set forth above, or if you choose to terminate the mediation at the expiration time, there will be no charge for the mediation.

Name

Signature

Mediator

Petitioner(s)

Respondent(s)

Petitioner's Counsel

Respondent's Counsel

Date: _____