

**MEDIATION
INITIATION FORM**

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK
COMMERCIAL DIVISION**

Referring Justice:

Date:

In the Matter of:

Index #:

This case is referred to Mediation with:

INSTRUCTIONS:

This form shall be sent to the selected Mediator accompanied by a Mediation Referral Order signed by the Referring Justice. The selected Mediator shall contact the parties listed below within one (1) week of the above date, and shall arrange for an initial mediation session with all parties and their respective counsel, if indicated, within thirty (30) days of the receipt of this form.

The following individuals have consented to attend a mediation session (the name and contact information of counsel for the respective parties will be provided so they can be present for the mediation):

Client Name:
Address:

Client Name:
Address:

Tel:

Tel:

Counsel:
Tel:

Counsel:
Tel:

Client Name:
Address:

Client Name:
Address:

Tel:

Tel:

Counsel:
Tel:

Counsel:
Tel:

Reason for Referral:

The Court will not ask the mediator for either a written or oral report with regard to this matter (other than the Mediation Disposition Report). Furthermore, the mediator shall not be called as a witness by either party or the Court. The mediation process is confidential and voluntary, and discussions had during the course of the mediation session/s will not be disclosed except in instances where:

- a) the parties to the mediation and their attorneys, if applicable, may specifically agree in writing to waive confidentiality with respect to any and all issues; or
- b) an agreement is signed by all the parties and submitted to the Court for review;

Litigants should be aware that no attorney-client relationship exists between the mediator and litigants. Nor may the mediator provide legal services to litigants during the process. The designated or otherwise chosen mediator handling this matter shall be immune from suit by any of the parties or other participants in this case based upon the mediator's activities in this matter. The mediator shall present a waiver for signature by the parties to that end, at the initial mediation session.

The mediator is also responsible for submitting a Disposition Report Form to the Court within seven (7) business days after the conclusion of the mediation process. The Disposition Report Form shall only indicate that a mediation was held, the dates of such mediation and whether or not a settlement was reached.

I confirm that I have read the Suffolk County Commercial Division ADR Protocols, and I confirm my willingness to serve pursuant to such rules.

Date

Signature of acceptance by Mediator