

N.J. OFFICE OF DISPUTE SETTLEMENT MODEL MEDIATION ORDER

_____,
Plaintiff,

SUPERIOR COURT OF NEW JERSEY
Civil Action No.

vs.

MEDIATION ORDER

_____,
Defendants.

IT IS, on this day of 20 ,

ORDERED as follows:

1. The court, pursuant to R. 1:40-11, directs that this civil action be and is hereby referred to mediation by the State Office of Dispute Settlement, in an effort to promptly and inexpensively resolve the various outstanding issues between the parties.

2. The purposes of the mediation are to: (i) promote discussion between the parties; (ii) assist the parties to develop and exchange pertinent information and data concerning the issues in this lawsuit, and (iii) assist the parties to develop proposals which will enable them to arrive at a mutually acceptable resolution of the controversy.

3. The mediator may meet the counsel and parties jointly or ex parte. The parties are directed to participate in the mediation process in good faith and with a sense of urgency, attending all sessions scheduled by the mediator. Representatives of the parties with settlement authority will attend mediation sessions as requested by the mediator.

4. The mediator may discuss with the court the status of the mediation process and any failure of a party to participate in good faith and with a sense of urgency, but the mediator shall not, without the prior consent of all parties, disclose to the court the substance of any matters which are disclosed to him by any of the parties.

5. All information presented to the mediator shall be deemed confidential and shall be disclosed by the mediator only on consent of counsel, except as necessary to advise the court of an apparent failure to participate. The mediator shall not be subject to subpoena by any party.

No statements made or documents prepared for mediation sessions shall be disclosed in any subsequent proceeding or construed as an admission against interest.

6. The mediator shall be compensated at a rate of \$250.00* per hour to be borne equally by each of the parties participating in each mediation session.

7. Mediation will proceed for _____ days, at which time it may be extended by either Order of the court or request of all parties.

J.S.C

I approve of the entry of this Order _____
A.J.S.C.

* The basic fee charged for mediation is \$250 per hour, plus expenses. In cases where a party is unable to pay, the fee will be reduced or waived.