

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

Plaintiff(s)

vs.

Civil Action No: _____

Defendant(s)

MEDIATION ORDER

The Court directs the parties to seek an equitable settlement of the issues in this matter. If an agreement is reached, the settlement agreement shall be filed with the Clerk of the Superior Court. If no agreement is reached within five (5) days of the date of this order, the parties are **hereby Ordered** to attend together and participate in good faith in at least one mediation session with a mediator registered with the Georgia Office of Dispute Resolution. Compliance with this Order requires good faith negotiation but does not require settlement.

SELECTION OR ASSIGNMENT OF MEDIATOR:

The Parties must select and agree on a mediator within **thirty (30) calendar days** of the date of this order. If the Parties do not notify the Office of Dispute Resolution (ODR) of their selected mediator, the ODR is hereby Ordered to appoint a mediator. In the event the parties select a mediator after the ODR assigns a mediator, the Parties are hereby **ORDERED** to pay for 2 hours of the published hourly rate of the ODR assigned mediator. The mediator shall have standing to bring a Motion for Contempt against any non-complying Party.

PAYMENTS TO MEDIATOR:

Regardless of the number of parties, the parties are to share equally the fees of the selected or assigned mediator unless otherwise agreed. The mediator will coordinate with the parties to schedule the mediation session.

CANCELLATION OF MEDIATION:

It is recognized that the selected or assigned mediator schedules their calendar and time once selected or assigned. Except for bona fide emergency situations, to cancel a mediation, all Parties must agree and notify the ODR and said mediator at least 2 business days prior to the mediation date. In the event all Parties agree to cancel a mediation inside the 2 business days prior to the scheduled mediation, the Parties are hereby **ORDERED** to pay for 2 hours of the published hourly rate of the selected or assigned mediator unless otherwise agreed.

NOTICE OF CANCELLATION AND/OR FAILURE TO APPEAR AT MEDIATION:

In the event a Party(ies) fail(s) to provide proper notice of cancellation or fails to appear without proper notice to the ODR and mediator, the offending/non-complying Party(ies) is/are hereby **ORDERED** to pay for 2 hours of the published hourly rate of the selected or assigned mediator including 2 hours of attorney fees of a complying party, if incurred.

COSTS ASSOCIATED WITH CONTEMPT ACTION:

Costs associated with bringing a contempt action by the mediator including but not limited to the mediator's time and effort to file said Motion, shall be taxed against the Party found in contempt.

The parties shall mediate this case within 90 days of entry of this order unless otherwise ordered by the Court. **The ODR will report to the Court any cases in which there has not been compliance with this order.**

SO ORDERED, this _____ day of _____, 20_____.

Judge, Superior Court
Chattahoochee Judicial Circuit

_____, Attorney for Plaintiff

_____, Attorney for Defendant