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RULES OF MEDIATION

The following rules are to govern the process and are considered part of the Final Memorandum of Mediation between the parties:

1. The parties agree to notify the mediator at the first session if the history of their relationship includes physical abuse, alcohol or drug abuse, or severe emotional disorder on the part of either party. This is important because matters can make mediation inappropriate or impossible.
2. The mediator retains the right to report child abuse and should the mediator determine that a child is at risk in any way, the parties agree that the mediator has a right to disclose such risk to the appropriate persons, including a Guardian ad Litem.
3. All decisions made in the mediation process concerning legal issues and agreements between the parties are the responsibility of the parties. The mediator is responsible for the control of the process and offers solutions where appropriate. The mediator can terminate the process at any time he or she deems necessary or appropriate.
4. All communications made in the mediation are considered offers of compromise and negotiations which are privileged unless the parties and the mediator make a written agreement to the contrary.
5. Failure to disclose information necessary to make a fully informed decision on any issue will void that decision.
6. Neither party will discuss the mediation process with third parties except those professionals necessary to make informed decisions.
7. The mediator assumes that the children have a right to love and respect both parents, and a right to have both parents participate in his or her life as fully as possible.
8. The mediator has a right to call third parties into the session is that is necessary to resolve a given dispute. This includes children, grandparents, or new spouses.
9. The mediator has a right to have professional observers in the room for training purposes. However, the parties will be consulted before such observations takes place.
10. Any agreements made in a session are not final until reviewed by an attorney. The mediator may disagree with any agreement made by the parties on an issue and so note the disagreement.
11. The mediator will not give legal or financial advice and the mediator specifically urges the parties to obtain legal and other assistance necessary to make informed decisions.
12. Termination of a mediation session cannot be made except at a mediation session with all parties present, except as otherwise agreed.
13. The parties understand that these rules will be incorporated into the Agreement to Mediate at the First Session.

I have read and understand the above Rules for Mediation.

Participant

Participant