

MEDIATION POLICIES

Live vs. Zoom

Ducharme Resolutions will conduct mediations as requested by the parties – live, Zoom, or hybrid – as long as all represent that they are fully vaccinated and free from Covid symptoms.

Attendance

To maximize the likelihood of a final resolution, all parties, attorneys, insurance adjusters, and anyone else with an impact on the ability to settle should attend the mediation session. Having someone with settlement authority available to telephone decreases the chances of resolution. Accordingly, the other party/ies and Ducharme Resolutions must agree upon absences.

Pre-Mediation Statements

Mediation summaries should be exchanged and sent to me at least five (5) days prior to the mediation. Summaries plus attachments should not exceed ten (10) pages. Email is preferred unless the summary is lengthy. Review of especially voluminous materials may result in an hourly charge of \$250/hour.

Conclusion of Mediation

A mediation session terminates either with a written settlement agreement or, absent that, the consent of all parties and Ducharme Resolutions. No party or individual may unilaterally terminate a mediation.

Additional Time

The parties may schedule additional time if a resolution is not achieved by the conclusion of the mediation session.

Confidentiality

By engaging in mediation, all parties and their attorneys agree that all statements made during the mediation are confidential and privileged settlement discussions. *N.H. R. Ev. 408; F.R.E. 408.*

Notes

After the mediation is terminated by an agreement resolving the dispute or a mutual determination to cease further mediation efforts, Ducharme Resolutions destroys all notes and documents except my administrative records.