



## AGREEMENT TO PARTICIPATE IN MEDIATION

We, the undersigned parties, hereby agree to have mediation services provided by MWI in accordance with the following terms:

Summary Process (Eviction) Court Division \_\_\_\_\_

Small Claims and other Civil Docket No. \_\_\_\_\_

**VOLUNTARY PROCESS:** We understand mediation is a voluntary process and the parties retain their right to a judicial or administrative hearing should the participants decide to withdraw before an agreement is reached.

**CONFIDENTIALITY:** We understand the mediator(s) and MWI cannot be subpoenaed to testify or produce records or work product in any future judicial or administrative proceedings relating to this matter (M.G.L. ch. 233 § 23C). We also agree to keep confidential all information discussed during the mediation.

Notwithstanding, the mediator may disclose to appropriate authorities information obtained during the mediation concerning abuse or the planned commission of a crime. Only the people who have executed the Confidentiality /Agreement to Mediate may participate in the mediation. All participants and attendees in this mediation, including every person who may participate by telephone, video, e-mail, text, or other means, agree that all communications related to the mediation, and all negotiations and settlement discussions, communicated in any medium, are private and confidential. Participants agree to disclose immediately when someone else is in their room off-camera and to assure no one else can overhear any aspect of the mediation.

**ROLE OF MEDIATOR:** We understand the mediator(s) are not judges and have no decision-making authority. The mediators' role is to assist the parties in their effort to reach their own mutually beneficial agreement.

**CONSULTING WITH COUNSEL:** We, the parties, understand it is neither MWI's nor the mediators' role to give legal advice, counsel, or to analyze either party's legal rights. Unrepresented parties are encouraged to review their legal rights and obligations before finalizing any mediated agreement.

Plaintiff \_\_\_\_\_  
(signature) (print name) (date)

Plaintiff \_\_\_\_\_  
(signature) (print name) (date)

Defendant \_\_\_\_\_  
(signature) (print name) (date)

Defendant \_\_\_\_\_  
(signature) (print name) (date)

Defendant \_\_\_\_\_  
(signature) (print name) (date)

Mediator \_\_\_\_\_  
(signature) (print name) (date)

Mediator \_\_\_\_\_  
(signature) (print name) (date)