Community Dispute Settlement Center, Inc.

Mediation Services: Policies and Procedures

Payment of Mediation Fee: The mediation fee is a per person, per session payment, based on individual annual gross income. The fee schedule, based on a sliding scale, can be found [here](http://communitydispute.org/mediation/fees). Your fee will be established prior to your first mediation session. CDSC may request and review financial documentation in order to verify your annual income.

Payment must be made by the start of each session using credit card, check or cash (exact change only please). CDSC reserves the right to cancel a session if payment is not received for current or past due amounts.

Cancellation Policy: Please contact CDSC at [(617) 876-5376](tel:%28617%29%20876-5376) and [cdscinfo@communitydispute.org](mailto:cdscinfo@communitydispute.org) if you need to cancel a mediation session. Please note that for any cancellation with less than 24 hours notice (1 business day), payment of the full fee is required.

Participants in the Mediation Session: All parties must consent to the presence of all persons attending a mediation session, including attorneys for any of the parties. The names of all attendees at a mediation session must be provided to CDSC at least ten calendar days before a scheduled session. CDSC will provide the complete list of attendees to all parties at least one week before a scheduled session.

Legal Advice: CDSC does not provide legal advice or advocacy. Mediation does not replace the need for legal advice; it is important for participants in mediation to be fully informed of legal rights and responsibilities. If litigation is pending or if you plan on submitting any mediated agreement to court, we recommend that all drafted documents be reviewed by counsel.

Alcohol and Other Drugs: CDSC, in its sole discretion, reserves the right to cancel, postpone or end a mediation session at any time if any attendee is believed to be under the influence of alcohol or other drugs that could diminish or alter physical, emotional or cognitive functioning. We can provide referrals for substance abuse treatment.

Weapons: Any and all weapons, including firearms and knives, are prohibited from CDSC mediation sessions and sites.

Personal Safety and Domestic Abuse: If you are concerned for your safety or have been threatened in any manner, we ask that you share this information with intake staff prior to a mediation session being scheduled. If there is a history of physical or emotional abuse that you believe may impact your participation in mediation in any way, please let us know. If you feel unsafe sitting in the same room with another participant, or have agreed to mediate under threat or coercion, we ask that you inform us. If there is an active restraining order in place concerning another party or participant in the mediation, you must notify CDSC immediately. CDSC cannot mediate any case where we are aware of an active restraining order in place concerning a party or a required participant.

Safety in Session: Mediators as well as participants may terminate a session at anytime due to concerns for safety.

Confidentiality and Exceptions to Confidentiality: Any communication made in the course of and relating to the subject matter of this mediation and which is made in the presence of the mediator(s) by any participant, mediator or other person, is confidential and not subject to disclosure in any judicial or administrative proceeding [from Massachusetts General Laws, Chapter 233, Section 23C]. Participants agree not to subpoena mediators, staff or records of CDSC. *Exception: CDSC may report the abuse or neglect of a child or other person and/or planned commission of a crime , as an exception to the above rule on confidentiality.*

Electronic Communications Notice: Any and all electronic communication (*e.g*., email and documents) you submit to us may be shared internally with staff and mediators of the Community Dispute Settlement Center as needed for the purposes of scheduling or conveying relevant information pertaining to a mediation. Emails will not be shared with any other party unless there is explicit consent.

Capacity to Make Informed Decisions: Mediators and CDSC staff reserve the right to postpone or terminate any mediation session if there are concerns for a participant’s capacity to make decisions.

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