

**3<sup>rd</sup> DISTRICT JUVENILE COURT  
VICTIM/OFFENDER MEDIATION PROGRAM  
AGREEMENT TO MEDIATE**

We, the undersigned, hereby consent and agree to participate in mediation. We understand the juvenile in this case has been ordered to participate in mediation by the Judge and the person who was harmed has agreed to participate voluntarily.

**Confidentiality:** I understand that the mediation process requires open and honest communication in order to succeed. The mediator will not reveal anything discussed in mediation outside the mediation session. I understand that the process will remain confidential except for instances of abuse and neglect of a child, incapacitated persons or the elderly. And, the mediator must report incidents of threats of violence or actual violence occurring during the mediation session.

**Role of the mediator:** I understand that the role of the mediator is to: 1) Act as an unbiased party; 2) Provide a safe environment; 3) Promote productive communication; 4) Help the parties reach agreements that are acceptable to both sides.

**Agreement:** I recognize that an agreement reached in this mediation is subject to the approval of the referring Judge and the Mediation Department. If accepted by the Judge the final agreement will be entered into the court record.

**Legal advice:** I understand that the mediator may not give legal advice during the mediation session and that I am responsible for obtaining legal advice from an attorney if that becomes necessary.

**Caucus:** I understand that any participant in this mediation may request a private meeting with the mediator.

**Termination:** I understand that participation in this mediation is voluntary and either party may withdraw from the mediation at any time and for any reason. The mediator is also free to end the mediation session if the mediator believes that the dispute cannot be resolved using mediation. The case will then be referred back to Court and the worker to schedule a restitution hearing. Restitution will then be decided by the referring Judge.

**Mediator may not be called as a witness:** I agree not to call the mediator as a witness or cause the mediator to be called as a witness in any legal proceeding concerning this dispute.

My signature indicates that I have read the Agreement to Mediate and agree to these terms.

**Signature Page on reverse side:**

**VICTIM:**

\_\_\_\_\_ Date: \_\_\_\_\_  
Victim

**OFFENDER:**

\_\_\_\_\_ Date: \_\_\_\_\_  
Offender

**PARENT OF OFFENDER:**

\_\_\_\_\_ Date: \_\_\_\_\_  
Parent of Offender

**MEDIATOR/WITNESS:**

\_\_\_\_\_ Date: \_\_\_\_\_  
Mediator/Witness

\_\_\_\_\_ Date: \_\_\_\_\_  
Mediator/Witness

\_\_\_\_\_ Date: \_\_\_\_\_  
Mediator/Witness

\_\_\_\_\_ Date: \_\_\_\_\_  
Mediator/Witness