

AGREEMENT TO TERMS OF MEDIATION

By signing this agreement, we agree to participate in mediation regarding the property located at _____. We understand that mediation is voluntary and we may decide to stop this process at any time. We acknowledge receipt of, have read, and agree to abide by the Guidelines for Mediation – Public Act 09-186 and any attachment referenced in that document. We agree that this matter is subject to the mediation process provided by Public Act 09-186 as explained in those guidelines.

We further agree, understand, and confirm that:

1. No party or its attorney or other representative(s) will try to compel the mediators or any other participant to testify regarding statements made by any participant in mediation sessions or to produce any documents provided by anyone during mediation;
2. Unless compelled by applicable law, the mediators will not disclose confidential information provided during the mediation or testify on behalf of or against any party;
3. All parties and/or their attorneys or other representatives will attend the mediated sessions, and the participant(s) in attendance will have full authority to consent to the details of an agreement. By signing this agreement, the parties participating as the “eligible owners”, as defined in section 9 of Public Act 09-186, affirm that they are the only known eligible owners of the subject property or represent the interests of all eligible owners. No one else may attend the mediated sessions without permission of all parties and the consent of the mediators;
4. The mediators will not function as the representative of or legal counsel to any party. Each unrepresented party acknowledges that that they may consult with and/or be represented by an attorney;
5. Mediation costs to be born equally by the eligible owner(s) and the State will be limited to administrative costs incurred and not include staff or personnel costs; and
6. If the parties reach a settlement, it shall be reduced to writing and, when signed and approved by the appropriate legislative committees, will be binding on all parties to the agreement.

MEDIATORS

PARTIES

Eligible Owners

Date

Date

Date

Department of Transportation

Date

SAMPLE