



AGREEMENT TO MEDIATE

between

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Names and Addresses of the parties

hereinafter “Parties”,

and

Mediators from the MediationsZentrum Berlin e.V (hereinafter “Association”).

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Names and Surnames of the mediators

hereinafter “Mediators”

agree as follows:

1. Participation in mediation

The parties and the mediators are the participants of the mediation process. At the request and upon prior announcement, the parties may be assisted by their lawyers or legal advisers. The participation of any other third party must be agreed upon by the parties.

2. Mediation process

The parties shall engage in the mediation process in the accordance with the provisions of this agreement and act in a collaborative and consensual manner to resolve the issues between them.

The parties shall treat each other fairly during the mediation process.

The mediators will be chosen by the Association in an internal procedure. The mediators conduct the mediation process, mediate between the parties and assist them in finding a solution to their issue.

The mediators have neither the power to decide disputed issues for the parties, nor can they give the parties any legal or factual advice. The subsequent outcome of the mediation (mediation agreement) is the sole responsibility of the parties.

As a general rule, the mediation appointments take place in the premises of the Association. The agreed dates of the appointments are binding for the parties and may be canceled only because of an important reason. A cancellation shall be made at least 48 hours before the appointment.

3. Confidentiality

The mediation process and the content of all mediation discussions are strictly confidential.

All statements and information given orally or in writing by the parties can be used by the mediators and the parties only during the mediation process.

Handwritten notes done by the mediators serve only as a memory tool for them. The notes will not be made available to any third party.

In case of supervision or intervention confidentiality will be maintained.

The parties agree not to call the mediator as a witness in any legal proceeding unless it is agreed upon by the mediator and the parties.



4. Voluntary participation and early termination of mediation

The parties declare that their participation in mediation is voluntary. Any party has a right to withdraw from the mediation process at any time, for any reason or no reason. This has to be communicated with the mediators orally or in writing. This will terminate the mediation process. The mediators will inform another party.

The mediators may terminate the mediation when in their opinion the further proceeding cannot be effective or adequate.

5. Mediators Impartiality and Neutrality

Mediators are obliged to the parties to stay impartial and neutral. They conduct the process freely and independently. An influence of any other persons or parties outside the process is forbidden. If the mediators realize during the process that there is a conflict of interest, they are obliged to inform the parties without any delay.

6. Mediation Quality Standards

The mediators of the Association are obliged to follow German and European Quality Standards of Mediation. The mediations and consultations can be conducted only by qualified mediators.

7. Disturbance in mediation process

In accordance to the quality standards of the Association the parties have a right to contact the Board of the Association in case of any disturbances between the parties and the mediators that can influence the mediation process.

8. Court proceedings

The parties agree not to begin any court proceeding regarding the matter of the mediation. If a court proceeding has already been started, the parties declare to pause or stop it.

9. Completion of mediation process

Unless the parties and the mediators decide otherwise, the mediation process ends with a written agreement, which was collaboratively drafted by both parties during the mediation process. The parties agree to follow the provisions of the agreement.

10. Mediation Fee

Mediation fee is determined by the valid tariff levels established by the Association. The amount of the fee is set before a start of the mediation. The social situation of the parties may be taken into consideration.

The payment of the agreed fee is due at the beginning of the first mediation or at the beginning of the respective meeting.

....., Berlin

Date

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Signatures of the parties

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Signatures of the mediators