

## **MEDIATION GUIDELINES**

1. Each party shall respond to emails, meeting invitations, or telephone calls from the mediator within two (2) business days.
2. Each party shall comply with deadlines set by the mediator for the delivery of documents or other information requested by the mediator.
3. The parties shall cooperate regarding the scheduling of the mediation.
4. The parties agree that the mediation will take place in Santa Fe, Albuquerque, or via videoconference.
5. The following persons shall attend the mediation and remain present during the entire mediation: each party of record; each counsel of record who will be trying the case; for each party, the person or persons with complete authority to settle the case. Parties shall attend the conference with knowledge of the issues and a willingness to discuss the issues.
6. Within ten (10) business days following a mediation at which a settlement is reached, the party with the burden of proof shall deliver to the other parties, and, if the mediator's assistance is desired, to the mediator, a draft settlement agreement.
7. The other parties shall have five (5) business days to provide written comments on the draft settlement agreement.
8. The parties shall work cooperatively to finalize and execute the settlement agreement.
9. The mediator will not be a signatory to the settlement agreement.
10. Within ten (10) business days after the settlement agreement is fully executed, the parties shall file the appropriate papers in order to dispose of the case (Disposition Pleading); provided, however, if a Disposition Pleading is not filed within ninety (90) *calendar* days after the mediation, the mediator may file a status report indicating this fact.
11. Notwithstanding the foregoing, if the mediator and all parties agree to different terms, the agreed-upon terms will supersede the terms in these Mediation Guidelines.