



Dear New Client,

We welcome if your choice is to have the support of your Attorney in Mediation.

Let's orient you about a few items so you can learn:

1. *If that is the best choice*
2. *A good definition of an Attorney's role within our Mediation forum*

Typically, we find in Mediation that an attorney is not necessary. We *do* ask each party to consult with their attorney, in separate appointments, while we are in phases of negotiation and finalizing written agreements. However, in general, we do not frequently come across seeing benefit to a client's Attorney sitting in our actual Mediation meetings.

That said...

If you choose to have your Attorney present, the other party would need to be in agreement and either -

1. Have their own Attorney also present, or
2. **Let us all know in writing** that they are perfectly comfortable to waive their right for their Attorney's presence in our Mediation forum

An Attorney would be settling their **fees** for time spent in mediation *directly with you*. Our fees to you do not change. Each client's hourly rate and invoicing is the same as if we met without attorneys.

An attorney's role would be:

- To support you knowing your legal rights "in the moment"
- To support you if there is a question of what information you want to share in a certain moment
- To help you feel emotionally supported simply by taking the time to be with you in our forum and bearing witness
- To gain information about your case and your process to support you also outside of mediation

An attorney's role *would not be*:

- To lead our discussion in any macro or micro manner
- To be part of forming agendas or choosing the meeting's direction
- To consult for, or be asked to offer input, by the Mediator

An attorney attending our mediation meeting could expect:

- To feel respected and welcome
- To be mostly a quiet witness to our process
- To be listening attentively and perhaps making notes about what they would like to discuss with their own client later, outside of the mediation
- To possibly be asked to speak during our meeting *by their client* -and aloud for all participants to hear- if their client wants to ask "in the moment" information on legal rights
- To be primarily present, while waiting to be asked to speak
- Likely, the mediator would not be directly addressing the Attorney, but rather, if at all, the client would address them as needed.
- To be transparent with both parties and the Mediator, inside each meeting that the Attorney attends.

We hope this basic introduction is helpful.

Please do inquire if you have further questions on this topic.

Sincerely,

Keren Abrams
SFMC Principal

SIGNATURES – *please check and sign to the line that applies to you*

I _____ (one of the parties in Mediation) understand and agree to the above detailed information and I choose to NOT have my own Attorney present (signature)_____

I _____ (one of the parties in Mediation) understand and agree to the above detailed information and I WILL have my Attorney present. (signature)_____

I _____ (name) am an Attorney invited by a party to participate in Mediation and I have read, understood and agree to the above detailed information. (signature)_____