

Rule 4.03 | MEDIATION ORDER

To refer an action or claim to mediation, the judge must enter an order that:

- (a) designates the mediator or directs the parties to select a mediator and to notify the judge of the selection;
- (b) establishes a mediation deadline;
- (c) requires a lawyer to confirm a mediation date agreeable to the mediator and the parties and to notify the judge of the date;
- (d) requires the attendance of lead counsel, the parties or a party's surrogate satisfactory to the mediator, and any necessary insurance carrier representative;
- (e) notifies the parties that unexcused absence or departure from mediation is sanctionable;
- (f) requires the mediator to report within seven days after mediation the result of the mediation and whether all required persons attended; and
- (g) directs that the substance of the mediation is confidential and that no party, lawyer, or other participant is bound by, may record, or without the judge's approval may disclose any event, including any statement confirming or denying a fact – except settlement – that occurs during the mediation.