

IN THE CIRCUIT COURT OF ANY COUNTY, ALABAMA

JANE DOE,
PLAINTIFF,

VS.

CIVIL ACTION NO. CV _____

BILL SMITH,
DEFENDANT.

ORDER FOR MEDIATION

The Court is of the opinion that the use of alternative dispute resolution is appropriate in this case and could result in the speedy and just resolution of the above-styled matter. Accordingly, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The parties to this action are to select a mediator within fourteen (14) days of the date of this Order. If the parties are unable to do so, then the Court shall appoint a mediator.

2. The mediator shall set the initial mediation session and may continue or adjourn the mediation session at his or her discretion. The mediation may be conducted in person, via Zoom or other web-based platform or by teleconferencing, as agreed by the parties and the mediator.

3. The fees and expenses of the mediator shall be paid equally by the parties unless agreed otherwise or mandated otherwise pursuant to Section 6-6-20(b)(2) of the Code of Alabama.

4. A representative of each party having full authority to settle the case must be present at the mediation session or reasonably available to authorize settlement throughout the mediation session. In the event a party wishes to ensure that the opposing party or a representative of the opposing party's insurance company is personally in attendance at the mediation and if the parties cannot reach agreement with regard to attendance, a party may file a motion with the Court to require personal attendance at the mediation.

5. The mediation shall be conducted in accordance with the Alabama Civil Court Mediation Rules and the provisions of Sections 6-6-20 and 6-6-25 of the Code of Alabama. All communications with the mediator regarding this matter will be considered confidential in accordance with Rule 11 of the Alabama Civil Court Mediation Rules and Section 6-6-25 of the Code of Alabama. All discussions, representations and statements made in the course of mediation shall be confidential and deemed privileged by both the mediator and all parties as settlement negotiations and, thus, inadmissible in a court of law. The mediator shall not be called as a witness nor shall the mediator's records be subpoenaed or used as evidence in any court proceeding.

DONE on this the ____ day of _____, 2020.

CIRCUIT JUDGE