



Preparing for Mediation

Template

Your choices guide the conversation

Mediation offers a structured conversation with an impartial facilitator. You decide whether a proposal works for you. You may ask for a break, seek independent advice or decline to settle.

Before the meeting

- Read the Agreement to Mediate, confidentiality agreement and fee terms. Ask about unclear procedural terms before signing.
- Write down the topics you want to discuss, your priorities and practical options you could consider. Keep legal questions for your own attorney.
- Tell the mediator privately about safety, pressure, access or language concerns through a safe channel. Identify the person authorized to make decisions for any organization.
- Keep track of court orders and deadlines. Mediation does not automatically delay them.

What to bring

Bring the agreed materials, a way to take private notes, relevant dates and the contact details of any independent adviser you may need. Ask before sending sensitive records. Documents that already existed do not automatically become privileged.

During the meeting

Listen, explain your concerns and ask for clarification. The mediator may meet separately with participants under the agreed caucus rule. No recordings, screenshots, transcription bots or undisclosed listeners. You do not have to accept a proposal to satisfy the mediator.

At the end

A discussion summary from this practice is expressly nonbinding. Ask an independent attorney to prepare or review any intended legal settlement. Do not assume a case is dismissed or a deadline changed because a discussion took place.

Confidentiality has legal limits. Read the attached agreement rather than assuming complete secrecy.

Merchlinsky Paralegal and Mediation Services is not a law firm. John J. Merchlinsky III is not an attorney and does not provide legal advice or legal representation.