

**JEAN M. DWYER, P.A. - Attorney-At-Law - Certified Mediator in
Family, Circuit, Appellate and County Court**

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Ormond Beach, Florida 32176
Phone: (386) 871-4438

Mediation Rates: \$250.00-\$300/hr
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Scheduling: <http://jeandwyer.com>

Dear Mediation Participants:

Thank you for selecting Jean M. Dwyer as the mediator for your case.

The cost for mediation is as follows:

\$300.00 per hour for all mediations other than family law

\$300.00 per hour for family law mediations if the joint income of the parties is \$150,000.00 or above,

\$250.00 per hour for family law mediations where the joint income of the parties is below \$150,000.00.

The fee will commence at our scheduled time listed and be divided equally between/among the parties, unless the court has ordered otherwise or you both agree to an alternative arrangement. Each party may submit a mediation statement prior to mediation; the aforementioned hourly rate will be imposed for review of the statement. A travel fee of \$100.00 per hour will be imposed for mediations outside of Volusia or Flagler County. A two- hour minimum is required for each mediation session. **PAYMENT WILL BE DUE AT THE END OF EACH MEDIATION SESSION.** Checks, cash, credit card and Venmo are currently accepted by the mediator. If you elect to use credit card or Venmo a processing fee will be charged based on the percentage charge by said entity. If your client is unable to meet the foregoing financial arrangement, please feel free to reschedule the mediation, otherwise please advise your respective clients to be prepared to pay the mediator's fee on the above referenced date. Mediations set in the morning are scheduled to end at noon and those set in the afternoon are scheduled to end at 5:00 pm, however, if time permits for the mediator and parties, mediations may be continued beyond the aforementioned times. Some mediations may also be set for the entire day at the discretion of the parties. Notary services may not always be available, please plan accordingly if a notary will be required.

A 48-hour cancellation policy is in effect; all mediations cancelled 48 hours prior to mediation will be charged \$250.00 (said cost shall split between the parties unless agreed upon otherwise).

TELECONFERENCING: If you are appearing telephonically or via video conferencing confidentiality still needs to be strictly complied with by all parties. Please plan on your appearance in a room away from other family members and distractions to ensure confidentiality and an optimal environment for you to participate in mediation. The mediator will make every attempt to ensure confidentiality of all teleconferencing calls, but also requests that if at any time you are able to hear the other party or observe the other party on all video or phone call that you immediately notify the mediator. Video

conferencing will be through ZOOM or a like service. Please ensure this option has been coordinated with the opposing side, agreed upon or court ordered. Please provide your lawyer with an email address so a video call may be arranged. You will need to download the ZOOM app on your electronic device prior to the mediation date. If a program other than ZOOM is being utilized, you will be notified and provided the appropriate information on said program. Please notify the mediator upon receipt of this letter if you desire to appear via video conferencing, if such has not yet been arranged with the mediator's office, and ensure the opposing party is notified of such.

If you have been exposed to the COVID-10 virus, have a high fever, or are experiencing symptoms you believe are a result of the COVID-19 virus, but are not experiencing any symptoms that would inhibit your appearance at mediation, please plan to appear by phone or video conferencing to ensure the safety and health of all parties; do not physically attend the6 mediation. If you are unable to attend the mediation either in person or via phone or video because of the COVID-19 virus, please let my office know immediately as well as our attorney and/or opposing counsel/litigant.

Please note that not all the mediation rooms are capable of ensuring a six (6) foot distance between all parties; please take any appropriate precautions you deem necessary.

Sincerely,

Jean M. Dwyer

Jean M. Dwyer

MEDIATION PROCESS

Mediation is a voluntary and informal process. Mediators have no authority to make decisions, impose settlements or require concessions by any party. The mediator's goal is to facilitate your discussions and assist in the negotiation process so that you can reach a mutually acceptable resolution. The mediator will not provide legal advice, nor will the mediator testify or argue your case to the court.

Confidentiality is a cornerstone to the mediation process. All information provided during mediation is confidential pursuant to Florida Statute 44.401 – 44.406 and Rule 10.360. Unless instructed otherwise, the mediator, Jean M. Dwyer, will not hold information confidential between the parties and their respective attorneys. Pursuant to Florida Statute 44.406 you are also required to keep all mediation communications confidential.

Participation at mediation should be limited to the named parties and their attorneys. Upon consent of both parties, certain other parties who may be integral to the process may attend. This must be arranged in advance.

Children will not be allowed to attend the mediation session. Please do not bring children to the mediation session.

Each party is expected to fully disclose all financial information including, but not limited to, financial affidavits, income tax returns, pay stubs, and property valuations in family law mediations that involve financial issues. It is beneficial in both civil and family law mediations to exchange required or needed information/discovery prior to attending mediation to maximize your time at mediation.

If at some point during the mediation process the mediator may call for a separate session with either or both parties or their attorneys to aid the negotiations. Either party or attorney may also request a separate session. Information shared during a separate session will not be treated as confidential unless specifically requested.