

**EDWARD L. NOWAK**

Mediation  
Fees & Policies  
Effective January 1, 2011

**Mediation Services:**

Billed at the rate of \$200.00/hour

The fee will be divided equally between the parties unless otherwise agreed before or at the mediation.

**Expenses:**

Significant travel expenses (e.g., auto travel exceeding (1) hour each way, air travel, rental car, meals and lodging, when the engagement requires) and other expenses, including location meeting rooms and facilities, if any, will be discussed and prepayment arrangements made with the parties, at least two weeks prior to commencement of the first day of the mediation conference.

**Preparation Time:** (if applicable)

Review of Pre-Mediation Summary and other documents beyond 30 minutes per party will be billed to a party at the rate of \$200.00 per hour. If the total time of review does not exceed one (1) hour, no preparation time is billed.

**Administrative Charges:**

None

**Scheduling:**

Mediations are scheduled for Half Days (4 hours) and Full Days (8 hours).

**Minimums:**

Half Day Mediations----2 Hours  
Full Day Mediations----4 Hours per day

**Late Cancellation/Rescheduling Charges:**

Half Day (4 hours) reserved---\$400.00  
Full Day (8 hrs) reserved-----\$800.00

Notice of cancellation or rescheduling of a mediation conference must be received by me at least 4 full business days (intervening weekends or federal holidays excluded) prior to the scheduled commencement of the mediation conference. Absent such timely notification, the party or parties requesting the cancellation/rescheduling will be billed their pro rata share of the late

cancellation/rescheduling charges and any mediator incurred and non cancellable expenses, including any airline cancellation charges or penalties.

### **Responsibility of Attorneys:**

The attorneys are encouraged to make prior financial/escrow arrangements with their clients to pay the cost of mediation. Notwithstanding the fact that counsel is acting as agent for a disclosed principal, the attorney's client, in consideration of the mediator setting aside time to mediate this dispute without requiring prepayment of fees, each party's attorney, if any, undertakes also to be responsible for timely payment of that party's pro rata share of the mediator's invoiced fees and expenses.

### **Payment Terms:**

Unless alternate arrangements are made at least seven calendar days prior to mediation, payment of the mediator's fees and expenses is due and payable upon receipt of his invoice. In most cases the mediator's invoice will be presented at the conclusion of the mediation conference. I recommend that clients bring a check or credit card with them so that payment can be made immediately following the mediation conference. Checks, Credit Cards (Master Card & Visa) and PayPal are accepted.

### **Application of Rules & Statutes:**

Unless otherwise agreed, the mediation conference will be conducted in accordance with and subject to the provisions of *Chapter 44, Florida Statutes, Fla.R.Civ.Proc. 1.700-1.730* and, if this is a Family Mediation, *Chapter 44 and 61, Florida Statutes, Fla. Family Law R. 12.740 and 12.741*, and any amendments thereof and all other court orders, rules and procedures that are applicable. This includes the immunity conferred upon mediators and the confidentiality privilege provided each party under *Chapter 44, Florida Statutes*. In order for the mediation to be successful, clients (or their representative(s)) must have **full authority to settle all issues raised by the case in the mediation conference**. This is an essential element in the mediation process and **must** be satisfied by all parties.

[Return to nowakmediation.com](http://nowakmediation.com)