AGREEMENT TO MEDIATE

We, the undersigned, agree to participate in a mediation session in an attempt to resolve the disputed issues between us. In mediating this case, we understand and agree to the following:

1. Mediation is a voluntary process. Any party or the mediator may end the mediation session anytime and without cause.

2. The role of the mediator is to facilitate a discussion between the parties and help them reach a voluntary settlement to their dispute. The mediator has no decision-making authority regarding the outcome of this dispute. The mediator is impartial and does not represent either party. The mediator will not give legal advice to either party. At any time during the mediation, or prior to signing a final agreement, the parties may seek the counsel of their respective attorneys regarding their legal interests, rights, and obligations.

3. Pursuant to R.S.Mo. § 435.014, the mediators and observer(s) can not be subpoenaed or otherwise compelled to disclose any matter disclosed in the process of setting up or conducting a mediation. Moreover, the mediation proceedings shall be regarded as settlement negotiations. Any communication made during the process shall be a confidential communication. No admission, representation, statement or other confidential communication made in setting up or conducting a mediation not otherwise discoverable shall be admissible as evidence or subject to discovery.

4. The parties recognize that one or both of them may have to get the approval of another person within the University of Missouri – Columbia (usually an administrator) before being able to agree to resolve the dispute.

5. The mediators and observer(s) will not disclose any communication made during the mediation except as consented to by both parties or required by law.

__________________________________________________________________________
DATE           DATE
__________________________________________________________________________
DATE
__________________________________________________________________________
MEDIATOR           DATE           MEDIATOR           DATE
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OBSERVER           DATE