

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
☐ District ☐ Superior Court Division

Name Of Plaintiff(s)

VERSUS

Name Of Defendant(s)

NOTICE OF WITHDRAWAL/DISQUALIFICATION OF MEDIATOR AND ORDER FOR SUBSTITUTION OF MEDIATOR

G.S. 7A-38.1, G.S. 7A-38.4A;
Rule 2(d) of the Rules for Mediated Settlement Conferences and Other
Settlement Procedures in Superior Court Civil Actions; Rule 2(d) of the
Rules for Settlement Procedures in District Court Family Financial Cases

Name Of Mediator Filing Notice

Mediator Email Address

Mediator Address

Mediator Telephone No.

Mediator Fax No.

The above-named mediator, who was ☐ party-selected ☐ court-appointed to conduct a mediated settlement conference in the above-captioned case, notifies the Court of the mediator's withdrawal/disqualification as mediator for reasons as set forth below. *(This statement shall be consistent with the mediator's duty of confidentiality set out in Standard 3 of the Standards of Professional Conduct for Mediators.)*

- ☐ Potential for lack of competency under Standard 1 of the Standards of Professional Conduct for Mediators
- ☐ Potential for bias, prejudice, or partiality under Standard 2 of the Standards of Professional Conduct for Mediators
- ☐ Potential conflict of interest under Standard 7 of the Standards of Professional Conduct for Mediators
- ☐ Potential jeopardy to the integrity of the mediation process under Standard 8 of the Standards of Professional Conduct for Mediators
- ☐ Scheduling Conflict
- ☐ Other: _____

SIGNATURE

Date

Name Of Mediator

Signature Of Mediator

Original - File **Copy** - Senior Resident Superior Court Judge or District Court Judge **Copy** - Plaintiff **Copy** - Defendant
Copy - Original Mediator **Copy** - Mediator Substituting for Original Mediator

(Over)

CERTIFICATE OF SERVICE - NOTICE OF WITHDRAWAL/DISQUALIFICATION

The undersigned mediator certifies that on this date a copy of the foregoing Notice Of Withdrawal/Disqualification Of Mediator was served on the persons listed below at the mailing address or email address listed below, such as the case may be, as set forth below. For each person listed as being served by email, the email address listed below is the email address of record with this court for that person. The undersigned further certifies that each such person served by email is either (1) an attorney or (2) a person who consented to receive email service in this case at that address, as established by consent filed with the court by any party. *(Provide names and addresses for persons served by mail or email in the spaces below. Attach additional sheets if necessary.)*

<i>Name And Address Of Party Or Attorney</i>	☐ served by depositing copy in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to that person at the address listed to the left. ☐ served by email to the email address listed to the left. ☐ served by email from ICMS/File & Serve to the email address listed to the left.
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<i>Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)</i>	
<i>Date</i>	<i>Name Of Mediator</i>
<i>Signature Of Mediator</i>	

(See Page Two for Order and Certificate Of Service - Order)

ORDER

☐ **The Court hereby orders:** The parties shall have _____ days from the date of this Order to notify the Court of their selection of a substitute mediator. If the parties take no action or cannot agree, the Court shall appoint a substitute mediator.

Date	Name Of Senior Resident Superior Court Judge Or Designee	Signature Of Senior Resident Superior Court Judge Or Designee
Date	Name Of Chief District Court Judge Or Designee	Signature Of Chief District Court Judge Or Designee

CERTIFICATE OF SERVICE - ORDER

The undersigned certifies that on this date a copy of the foregoing Notice Of Withdrawal/Disqualification Of Mediator And Order For Substitution Of Mediator was served on the persons listed below at the mailing address or email address listed below, such as the case may be, as set forth below. For each person listed as being served by email, the email address listed below is the email address of record with this court for that person. The undersigned further certifies that each such person served by email is either (1) an attorney or (2) a person who consented to receive email service in this case at that address, as established by consent filed with the court by any party. (Provide names and addresses for persons served by mail or email in the spaces below. Attach additional sheets if necessary.)

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Date	Name Of Person Serving Order (type or print)	Signature Of Person Serving Order