

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division
Before The Clerk

County

DESIGNATION OF MEDIATOR BY AGREEMENT OF PARTIES IN MATTER BEFORE CLERK OF SUPERIOR COURT AND ORDER OF APPOINTMENT

NOTICE:

The party filing the Designation of Mediator should complete this form, sign below and return to the Clerk of Superior Court within the time frame set out in the Clerk's order.

G.S. 7A-38.3B; Rules 2 and 8 of the Rules of Mediation
for Matters Before the Clerk of Superior Court

Agreement, if reached, to be submitted to Clerk: ☐ Yes ☐ No

NOTICE OF SELECTION OF CERTIFIED MEDIATOR BY AGREEMENT

The above named matter was referred to mediation. The parties named below have selected the mediator named below who has agreed to serve in this matter and is eligible to serve pursuant to the Rules of the Clerk Mediation Program. If this is an estate or guardianship matter, the mediator has completed at least ten hours training in mediating estate and guardianship matters and is certified to mediate estate and guardianship matters. The parties named below request that the Clerk of Superior Court Judge approve the designation of this mediator.

Names Of Parties And Their Attorneys, If Any, Who Have Agreed To The Designation

Name And Address Of Certified Mediator

Telephone No.

Mediator's Email Address

The parties and the mediator have agreed upon the mediator's rate of compensation as follows: (specify all terms of the compensation agreement)

Date Name Of Attorney (or Pro Se Party) Signature Of Attorney (or Pro Se Party)

NOTE: As an aid to mediator selection, the NC Dispute Resolution Commission maintains a list of mediators available to conduct mediations in matters referred by the Clerk at www.NCDRC.gov. Click on "Find a Mediator" and then click on "Clerk Program Mediators." You may select either a certified Superior Court or Family Financial Mediator. If you are seeking a mediator for an estate or guardianship matter, you must select a mediator with estate and guardianship mediation training. You may search for mediators by name or by county. Once a mediator's name appears on your screen, click on it for a complete contact and availability listing.

Original-Clerk Copy-Petitioner Copy-Respondent Copy-Mediator
Copy-Other Persons/Entities Ordered to Attend Mediation

CERTIFICATE OF SERVICE - DESIGNATION OF MEDIATOR

The undersigned certifies that on this date a copy of the foregoing Designation Of Mediator By Agreement Of Parties In Matter Before Clerk Of Superior Court 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.)*

Name And Address Of Mediator		☐ 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.
Email Address Of Mediator (if served by email or by email from ICMS/File & Serve)		
Name And Address Of Party Or Attorney		☐ 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.
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)		
Name And Address Of Party Or Attorney		☐ 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.
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)		
Name And Address Of Party Or Attorney		☐ 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.
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)		
Name And Address Of Party Or Attorney		☐ 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.
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)		
Name And Address Of Party Or Attorney		☐ 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.
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)		
Name And Address Of Party Or Attorney		☐ 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.
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)		
Name And Address Of Party Or Attorney		☐ 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.
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)		
Date	Name Of Party (type or print)	Signature Of Party Or Party's Attorney

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

ORDER OF APPOINTMENT			
The parties having selected a certified clerk mediator, the Clerk hereby grants the parties' request for the selected mediator to conduct the mediation.			
Date	Name Of Clerk (type or print)	Signature Of Clerk	☐ Assistant CSC ☐ Clerk Of Superior Court

NOTE TO MEDIATOR: *The mediator shall be responsible for designating the location of the conference, if the parties are not able to agree, and giving timely notice to all attorneys and unrepresented parties of the time and location of the conference. The mediated settlement conference shall be completed by the deadline set forth on Page One, Side One, and the mediator shall report the results of the conference to the Clerk within five (5) days after the conference is completed if the agreement is to be submitted to the Clerk.*

CERTIFICATE OF SERVICE - ORDER OF APPOINTMENT		
The undersigned certifies that on this date a copy of the foregoing Designation Of Mediator By Agreement Of Parties In Matter Before Clerk Of Superior Court And Order Of Appointment 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. <i>(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 Mediator	☐ 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.	
Email Address Of Mediator (if served by email or by email from ICMS/File & Serve)	☐ served by email from ICMS/File & Serve to the email address listed to the left.	
Name And Address Of Party Or Attorney	☐ 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.	
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)	☐ served by email from ICMS/File & Serve to the email address listed to the left.	
Name And Address Of Party Or Attorney	☐ 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.	
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)	☐ served by email from ICMS/File & Serve to the email address listed to the left.	
Name And Address Of Party Or Attorney	☐ 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.	
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)	☐ served by email from ICMS/File & Serve to the email address listed to the left.	
Name And Address Of Party Or Attorney	☐ 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.	
Email Address Of Party Or Attorney (if served by email or by email from ICMS/File & Serve)	☐ served by email from ICMS/File & Serve to the email address listed to the left.	
Date	Name Of Person Serving Order (type or print)	Signature Of Person Serving Order