

IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT

KANE COUNTY, ILLINOIS

CONFIDENTIALITY & MEDIATION AGREEMENT

Case number: _____

The Kane County Eviction Mediation program is pleased to assist you in mediating your dispute.

General Information

- Mediation is a process by which a neutral party (the mediator) assists the parties in reaching a mutually agreeable settlement.
- Your participation is voluntary.
- Your mediator is impartial – they will not take sides or favor one party over the other.
- Your mediator does not decide who wins or loses.
- Your mediator will not give legal or other advice. Your mediator is not acting as anyone’s lawyer.
- Your mediator is required to let the parties know if they have prior knowledge, or acquaintance, with a party. If your mediator feels that they can still be neutral, and the parties are comfortable, the mediation will continue. If not, a different mediator will be appointed.
- Lawyers are welcome to participate but are not required.

Settlement Authority

- Parties must have full authority to negotiate and settle the dispute before the mediation begins.

Confidentiality

- We consider all mediations to be confidential per the Illinois Uniform Mediation Act.
- We respect the privacy of the participants and consider what is discussed to be their business and will not willingly disclose anything that is said during the mediation outside of the program.
- Your mediator will not willingly testify on behalf of any party or submit any type of report on the substance of the mediation. Any notes your mediator takes will be destroyed at the end of the session.
- Recording in any manner (video, audio or other electronic means) or of any part of a mediation or making a mediation available online is not allowed.
 - **Exceptions to Confidentiality**
 - If your mediator learns anything that causes them to be concerned about serious imminent harm to any person, inside or outside of the mediation session, they may disclose that to the appropriate persons.
 - Your mediator may have professional mandatory reporting requirements that would require reporting of specific information to the appropriate authorities, such as attorney misconduct that violates ethics.

For Mediations Performed by Attorneys

It is acknowledged by the parties to this lawsuit that the mediator, _____, and their law firm, _____, are not representing any party to this lawsuit and are not affording or providing any legal advice to any such party.

If you have any questions about your legal rights, you should contact an attorney.

Signed by: _____

Mediator/Date

Plaintiff/Date

Defendant/Date

Plaintiff’s Attorney/Date

Defendant’s Attorney/Date