

Request for Mediation Orientation

Instructions and Forms for Packet 6H

General Information

Mediation is a process that provides an opportunity for people in conflict to reach a resolution with the help of a neutral third party (the mediator). Finding solutions is the focus of mediation. In Lane County, if there is a disagreement in final custody and/or parenting time (visitation), parents must attend a Mediation Orientation before a judge will hear the case in court. This rule applies to parents who are separated, divorcing or divorced, as well as to unmarried parents. Each party must contact the mediation program to register for mediation orientation within 15 days of filing or receiving a response, if the response indicates a disagreement regarding custody and/or parenting time. **A party that has completed the mediation orientation may request entry of an order from the Court to compel the non-complying party to complete mediation orientation. These instructions explain how to request a court order for mediation.**

When filling out the forms, follow these directions:

- The case heading is the same as listed on the Petition or Motion that started the action.
- Make yourself a copy of any document you are filing with the court. File the originals with the court clerk.
- Keep the court informed of your current address so you get notice of all court dates. **You are not required to use your residential address on any court form.** You may use a contact address where you regularly check in. If you use a contact address, the court will assume that you will receive all notices sent to that address.

STEP 1: Request for Mediation Orientation and Order

A. Completing and Presenting the Request and Order

1. Fill in the names of Petitioner and Respondent and the case number on both the Request for Mediation and the Order.
2. Below the case caption on the Request form, check the appropriate boxes, sign and date.
3. The Request and Order must be presented to a judge at an Ex Parte hearing. Ex Parte is a hearing that occurs Monday through Friday from 8:30 to 8:50 a.m. No appointment is necessary to attend. You must check in with Court Information on the second floor of the Courthouse at 8:00 a.m. to be directed to the courtroom to see the judge.
4. Once the judge signs the Order, file the forms with the cashiers. You may not leave the courthouse with an Order that has been signed by a judge. You must make a copy of the Request and Order to promptly mail or delivery to the other parent. You may ask the cashiers to make copies, the charge is 25 cents/page or come prepared with copies and ask the Cashier to conform the copies. Complete and sign the bottom portion of the original Request form to declare that you will deliver the copies to the other parent.

Step 2: What's Next?

Your requirement with the Court will be met once you have attended the mediation orientation. If both parents wish to proceed with mediation through the Family Mediation Program, you will be contacted and an appointment with a mediator will be scheduled.

It is very important for the mediator to learn of any concerns parents have about domestic violence, their own safety, and/or the safety of the children. At the beginning of the first mediation session – and whenever requested by either parent or the mediator thereafter – the mediator will talk with each parent privately and individually about any concerns. At any point along the way, mediation will not proceed unless both parents and the mediator agree that mediation should continue. Parents will not speak together in mediation – in person or on the telephone – unless both parents and the mediator wish to proceed in this fashion.

If you reach an agreement in mediation, it is not an enforceable court order until it is filed with the final documents and signed by a judge. If you do not have an attorney and need assistance, the Family Court Assistance Office (541-682-4302) can provide forms and information to help you. If there are other unresolved issues, the case may still go to trial.

If parents do not reach an agreement in mediation, the proceeding will be scheduled for hearing in the same course and with the same priority as if there had been no mediation.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

In the Matter of: _____)
)
) Case No. _____)
)
) Petitioner,)
)
) and)
) REQUEST FOR MEDIATION)
)
) in pending case)
)
) _____)
) Respondent.)

I, the Petitioner Respondent in this case moves the Court, pursuant to SLR 12.004(7), to require the Petitioner Respondent to complete mediation orientation. There is an action for establishing or modifying custody and/or parenting time currently pending in the Lane County Circuit Court.

Signed: _____ Date: _____
(Parent)

NOTICE TO PARENT MAKING THIS REQUEST: THE COURT REQUIRES YOU TO GIVE NOTICE TO THE OTHER PARENT.

I, _____, hereby declare, under penalty of perjury, I will provide, by mailing or delivering, a copy of this Request and Order to the other parent on the date the order is signed by the Court.

Dated: _____
 Petitioner Respondent, Signature

Certificate of Document Preparation. You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to _____ for assistance in preparing this form.

Submitted by:

Petitioner Respondent, Print Name Address or Contact Address

City, State, Zip Telephone or Contact Telephone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

In the Matter of the Marriage of:

Petitioner,
and

Respondent.

Case No. _____

ORDER RE MEDIATION

The request for referral to mediation is:

Allowed.

Denied _____.

PETITIONER RESPONDENT MUST CONTACT THE LANE COUNTY FAMILY MEDIATION PROGRAM TO REGISTER FOR MEDIATION ORIENTATION WITHIN 15 DAYS OF RECEIVING A COPY OF THIS ORDER AND ATTEND WITHIN 15 DAYS OF REGISTERING, 541-682-3962, 151 W. 7th AVE., SUITE 360, EUGENE, OR 97401 OR ONLINE AT WWW.LANECOUNTY.ORG/FAMILYMEDIATION.

DATED this _____ day of _____, 20_____.

Circuit Court Judge

Print Name