

# STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice  
District Court Division

\_\_\_\_\_ County

## DESIGNATION OF MEDIATOR IN FAMILY FINANCIAL CASE

**NOTICE:** Check and complete only one of the three Sections below, sign on the reverse, file with the Court, and distribute copies as noted below.

G.S. 7A-38.4A; Rule 2 of the Rules Implementing Settlement Procedures in Equitable Distribution and Other Family Financial Cases.

Name Of Plaintiff	
Name And Address Of Plaintiff's Attorney (Or Pro Se Plaintiff)	
Telephone No.	Fax No. (If Applicable)
Plaintiff's Attorney's Email Address (Or Pro Se Plaintiff's Email Address)	
<b>VERSUS</b>	
Name Of Defendant	
Name And Address Of Defendant's Attorney (Or Pro Se Defendant)	
Telephone No.	Fax No. (If Applicable)
Defendant's Attorney's Email Address (Or Pro Se Defendant's Email Address)	

Deadline For Completion Of Settlement Procedure
Tentative Trial Date

**SECTION 1 - NOTICE OF DESIGNATION OF CERTIFIED MEDIATOR BY AGREEMENT**

The parties have selected the mediator named below who has agreed to serve in this case and is certified pursuant to the Rules Implementing Settlement Procedures in Equitable Distribution and Other Family Financial Cases.

Name And Address Of Certified Mediator	Telephone No.
	Fax 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.)*

**NOTE:** As an aid to mediator selection, the NC Dispute Resolution Commission maintains a list of certified family financial mediators at [www.ncdrc.org](http://www.ncdrc.org). Click on "Finding a Mediator" from the left-hand menu then click on "Family Financial Settlement Mediators (District Court)." You may search for mediators by name or by judicial district. Once a mediator's name appears on your screen, click on it for a complete contact and availability listing.

**SECTION 2 - NOMINATION OF NON-CERTIFIED MEDIATOR**

The parties nominate the non-certified mediator named below to conduct the mediated settlement conference. The mediator named below has agreed to serve.

Name And Address Of Non-Certified Mediator	Telephone No.
	Fax No.
Mediator's Email Address	

The parties petition the Court to approve the nomination and represent that the mediator is qualified to mediate this case by virtue of the following training, experience or other qualifications:

Original-File   Copy-Plaintiff   Copy-Defendant   Copy-Mediator   Copy-Judge or Designee  
(Over)

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

**SECTION 3 - MOTION FOR COURT APPOINTMENT OF MEDIATOR**

After a full and frank discussion, the parties have been unable to agree upon the selection of a mediator.

Pursuant to Rule 2.B of the Rules of Implementing Settlement Procedures in Family Financial Cases, the parties move the Court to appoint a certified mediator to conduct the mediated settlement conference.

		SIGNATURE	
Date	Name Of Plaintiff's Attorney (Or Pro Se Plaintiff)	Signature Of Plaintiff's Attorney (Or Pro Se Plaintiff)	
Date	Name Of Defendant's Attorney (Or Pro Se Defendant)	Signature Of Defendant's Attorney (Or Pro Se Defendant)	

**ORDER OF APPOINTMENT**

1. The nomination of the non-certified mediator named in Section 2 above is  approved and the mediator is authorized to conduct the mediated settlement conference.  disapproved.

**(NOTE: Upon disapproval, the parties may select another mediator and report the selection to the court on a Designation of Mediator form.)**

2. The parties having reported their failure to agree upon the designation of a mediator, or the parties having failed to notify the court of their designation or nomination of a mediator, the court appoints the following certified mediator to conduct the mediated settlement conference.

Name And Address Of Certified Mediator	Telephone No.
	Fax No.
Mediator's Email Address	

Date	Name Of Judge (Type Or Print)	Signature Of Judge
------	-------------------------------	--------------------

**TENTATIVE CALENDARING NOTICE**

*[This section is optional, to be used at the discretion of the judge; however, mediated settlement shall not delay other proceedings, including trial (Rule 3.E).]*

Parties are notified of the following tentative calendaring schedule adopted by the Court. Final calendar notices will be provided through a published calendar, should settlement not be reached.

Tentative Date For Hearing Of Motions

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this date a copy of the foregoing Designation of Mediator in the matter before the district court was served on the above-selected mediator and the parties at the addresses below by placing a copy of the same in the United States Mail, postage prepaid. *(Please provide names and addresses for the mediator and parties served in the spaces below. Attach additional sheets if necessary.)*

Mediator	Party Or Attorney	
Party Or Attorney	Party Or Attorney	
Party Or Attorney	Party Or Attorney	
Party Or Attorney	Party Or Attorney	
Date	Name Of Party (Type Or Print)	Signature Of Party Or Party's Attorney

**NOTE TO MEDIATOR:** *The mediator shall be responsible for reserving a place and making arrangements for the conference 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 completion deadline set forth on Side One, and the mediator shall report the results of the conference to the court within ten (10) days after the conference is completed or within ten (10) days of being advised by a party that the case settled or was otherwise disposed of prior to the mediation.*