

**Office of Dispute Resolution**  
SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT

P.O. BOX 963  
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[www.7jad.com/adr](http://www.7jad.com/adr)



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## Rules & Scheduling Procedures

### **1. Mediation Scheduling**

The parties have ten (10) business days from the date of the attached Referral Notice to (a) select a mediator, (b) schedule a mediation session with the mediator and opposing parties, and (c) return the completed Mediation Scheduling Form to the ADR Office. All parties must be a part of the decision-making process when selecting a mediator, date, time and location of the mediation session. Unilateral scheduling is not permitted. If the Mediation Scheduling Form is not received by our office within ten (10) business days and no attempt is made to inform the ADR Office of extenuating circumstances, our office will assume the parties cannot agree upon a mediator and we will assign the mediator, date, time and location of the mediation session.

The plaintiff and/or the plaintiff's attorney is ultimately responsible for coordinating the scheduling of the mediation session. However, any party may schedule the mediation session, complete the Mediation Scheduling Form, and submit it to the ADR office. All parties (plaintiff and defendant) are responsible for compliance with the ADR order.

### **2. Changes**

The ADR Office will send out scheduled mediation notices when a case is scheduled either by the ADR Office or by receipt of a Mediation Scheduling Form. Once a case has been scheduled and confirmed, the ADR Office needs to be made aware of any changes immediately. These changes include but are not limited to: cancellation of a scheduled session, rescheduling of a session, change in chosen mediator, dismissal or settlement of a case prior to the mediation session, motion for summary judgment etc. The plaintiff or the plaintiff's attorney is responsible for notifying the ADR Office in writing of any of the above changes.

### **3. Mediator Selection**

Mediators can be chosen from the 7th Judicial District roster found on our website: [www.7jad.com/adr](http://www.7jad.com/adr). Parties without internet access may contact the ADR Office to have a copy mailed or emailed to them. If you would like to use a mediator not listed on the 7<sup>th</sup> District's roster, please notify the ADR office. The ADR office will confirm the mediator is registered as a neutral with the Georgia Office of Dispute Resolution as required for court-ordered or court-referred mediations by the Georgia Uniform Mediation Act of 2021. For more information, contact the ADR Office.

### **4. Cancellation/No-show**

If a scheduled ADR session is cancelled without forty-eight (48) hours notice to the mediator and/or the ADR office, a late cancellation fee may be charged. The court may be notified of any cancellation fees that are not paid in a timely matter. It is up to the parties to notify the mediator and/or the ADR office of a cancellation. The amount of this fee may be up to two (2) hours of the hourly rate of the chosen mediator. If a party fails to appear at a scheduled ADR session, the non-appearing party will be responsible for the entire cancellation fee. The ADR Office will notify the court of any non-appearances or continuous cancellations.

### **5. Conflict Cancellations**

Cancellation of a scheduled mediation will be permitted in compliance with the Uniform Rule related to conflicts. The party with the conflict is responsible for notifying the other party, the mediator, and the ADR Office of the conflict within forty-eight (48) hours of the notice of conflict. If the conflict necessitates cancellation, timely notice of cancellation must be received by the mediator or a cancellation fee of up to two (2) hours may apply to the party with the conflict.

### **6. Attendance and Documentation**

All attorneys are REQUIRED to attend mediation with their clients. Attorneys attending the mediation session on behalf of their clients MUST have full settlement authority and full knowledge of the case. Additionally, it may be necessary for the following persons to be present: plaintiff, plaintiff's counsel, spouse (if a consortium claim exists), plaintiff's personal representative (if plaintiff is a minor child or an estate), those appearing on behalf of any defendant, (insurance company representative, attorney, personal representative) and any defendant whose presence is necessary for final settlement. No other parties will be allowed to participate except by agreement of all parties in advance. Lastly, parties are required to

bring copies of their completed financial affidavits (domestic cases) pursuant to U.S.C.R. 24.2 and all other relevant information. A copy of the financial affidavit can be found on our website: [www.7jad.com/adr](http://www.7jad.com/adr) or you may contact the ADR Office to have a copy mailed or emailed to you.

#### **7. Rescheduling**

If a case needs to be rescheduled, the parties are responsible for completing the Mediation Rescheduling Form and emailing it to the ADR Office. The Mediation Rescheduling Form can be found on our website: [www.7jad.com/adr](http://www.7jad.com/adr) or by calling the ADR office to have a copy mailed or emailed to you. The court will be notified if the case is not rescheduled in a timely fashion. All parties must agree to the rescheduling of the session. If a case is not rescheduled promptly, the ADR Office will reschedule the session, and the parties/attorneys will not be able to change date or time.

#### **8. Agreements and Dismissals**

If a case is settled or dismissed prior to the date of mediation, please notify the ADR Office immediately. The ADR office will confirm final orders and/or dismissals have been filed with the court. If no settlement documents or dismissals have been filed within ninety (90) days, the ADR Office will be required the case be rescheduled for mediation. If an agreement or dismissal is signed prior to mediation, it is the responsibility of the parties to cancel directly with the mediator forty-eight (48) hours in advance. Otherwise, the same cancellation fee rules explained in paragraph 4 will apply.

#### **9. Mediator Fees and Fee Waivers**

All fees are to be shared equally regardless of the number of parties involved unless otherwise agreed. The fees for mediation are different for each mediator. Fees are subject to change without notice. Therefore, call the mediator to verify their fee prior to the mediation session. Each party must be prepared to pay the mediator for their portion of the fees at the time of the session. The court may be notified of any mediation fees that are not paid at the session.

If a party feels they cannot afford mediation, an Indigent Fee Waiver application may be obtained by visiting our website at: [www.7jad.com/adr](http://www.7jad.com/adr) or by contacting the ADR Office to have one mailed or emailed to you. The application must be notarized and must be received by the ADR Office within ten (10) days of the scheduled mediation session. Proof of income must be included with the application. Late or incomplete forms will not be accepted. The ADR Office will determine if the party meets the federal poverty level to have their mediation fees waived and will notify the party of the results. **PARTIES ARE STRONGLY ENCOURAGED TO REQUEST THIS FORM AS EARLY AS POSSIBLE.**

#### **10. Seminar for Divorcing Parents**

The ADR Office strongly recommends that parties to all domestic cases attend the Coparenting Seminar prior to the mediation session.

#### **11. Domestic Screening**

The ADR Office will attempt to screen each party in a domestic case for potential domestic violence using the tools developed by the Georgia Office of Dispute Resolution. If Unsuccessful, the mediator will be notified by the ADR Office prior to the scheduled mediation session, and will be required to conduct the screening before starting the mediation.