

## **MEDIATION INSTRUCTIONS**

1. No later than seven (7) days prior to a scheduled Mediation, each attorney/party must forward to the Child Custody Mediator the following:
  - A. Proof of attendance or registration for the Children in Between Parent Education Course at the Community Guidance Center (724-465-5576 or 1-888-686-1991) (out of county/state litigants may attach proof of equivalent course in their jurisdiction).
  - B. Proof of payment of his or her Mediation fee of \$150.00 to the Prothonotary of Indiana County, or a court approved copy of Petition for In Forma Pauperis.
  - C. A completed (in full) Child Custody Mediation Questionnaire.
  - D. A signed and dated Waiver of Mediation Communication Privilege Form.
2. **FAILURE TO PROVIDE ANY OR ALL OF THE ABOVE, SHALL BE DEEMED A CONTEMPTIBLE ACTION UNDER PENNSYLVANIA RULE OF CIVIL PROCEDURE 1915.12 AND SHALL BE INCLUDED IN ANY RECOMMENDATION BY THE CHILD CUSTODY MEDIATOR TO THE COURT.** There will be no cancellations or continuances of Mediations for non-payment of fees; however, non-payment within seven days prior to Mediation will be deemed a contemptible action.
3. Mediations will be held as scheduled unless either party files with the Prothonotary, in conformance with local rules, a Motion to Continue for reasons other than non-payment of fees and the Court has accepted such reasons and by Order directed that Mediation be cancelled, continued or rescheduled. **WHILE THE COURT ADMINISTRATOR WILL CONTINUE TO SEND OUT NOTICES OF NEW DATES AND TIMES FOR MEDIATION, IT IS INCUMBENT UPON THE MOVING PARTY TO SERVE A COPY OF HIS OR HER MOTION ON THE NON-MOVING PARTY AND TO PROVIDE NOTICE OF ANY CHANGES TO THE CHILD CUSTODY MEDIATOR. THE CHILD CUSTODY MEDIATOR WILL NEITHER FILE NOR ACCEPT MOTIONS FOR CONTINUANCE NOR WILL HE/SHE NOTIFY PARTIES INDIVIDUALLY REGARDING SAME.**
4. If a party fails to appear for mediation and the other party can provide to the Mediator proof that notice of mediation was sent or forwarded to the opposing party's last known address, the Mediator may recommend to the Court a Temporary Order for Custody despite a party's absence.

5. All materials as required in paragraph one should be forwarded to:

**Mathew G. Simon, Esquire  
Child Custody Mediator  
825 Philadelphia Street  
Indiana County Courthouse  
Indiana, PA 15701**

Any Motions for Continuance, etc. should be filed directly with the Court.

6. Please note that due to the unbiased role required by the Mediator that he/she will not communicate ex parte with parties outside of the Mediation setting.
7. All children seven (7) years of age or older must be brought to Mediation by the custodial parent. Children under the age of seven (7) must be brought if so directed by the Mediator.

**THANK YOU AND WE LOOK FORWARD TO WORKING WITH YOU  
IN THE BEST INTEREST OF YOUR CHILDREN**