

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division
Before The Clerk

_____ County

**DESIGNATION OF MEDIATOR
IN MATTER BEFORE
CLERK OF SUPERIOR COURT**

NOTICE:

Fill out only one of the two Sections, **sign below**, and return to the Clerk of Superior Court within _____ days after the date of the Order for Mediation and distribute copies as noted below.

G.S. 7A-38.3B; Rules 2 and 8 of Rules Implementing Mediation In Matters Before Clerk Of Superior Court

Deadline For Completion Of Mediation Hearing Date

Name Of Petitioner	
Name And Address Of Petitioner's Attorney (Or Pro Se Petitioner)	
Telephone No.	FAX No. (if applicable)
Petitioner's Attorney Email Address (Or Pro Se Petitioner's Email Address)	
VERSUS (IN THE MATTER OF:)	
Name Of Respondent/Decedent	
Name And Address Of Respondent/Decedent's Attorney (Or Pro Se Respondent/Party)	
Telephone No.	FAX No. (if applicable)
Respondent's Attorney's Email Address (or Pro Se Respondent's Email Address)	

Agreement, if reached, to be submitted to Clerk. Yes No

SECTION 1 - NOTICE OF SELECTION OF CERTIFIED MEDIATOR BY AGREEMENT

The above named matter was referred to mediation. The parties have selected the mediator named below who has agreed to serve in this matter and is eligible to serve pursuant to the Rules of the Clerk Mediation Program. If this is an estate or guardianship matter, the mediator has completed at least ten hours training in mediating estate and guardianship matters and is certified to mediate estate and guardianship matters.

Name And Address Of Certified Mediator	
Telephone No.	
FAX No. (if applicable)	
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 mediators available to conduct mediations in matters referred by the Clerk www.ncdrc.org. Click on "List of Mediators" from the left-hand menu, then click on "Clerk Program Mediators." You may select either a certified Superior Court or Family Financial Mediator. If you are seeking a mediator for an estate or guardianship matter, you must select a mediator with estate and guardianship mediation training. You may search for mediators by name or by county. Once a mediator's name appears on your screen, click on it for a complete contact and availability listing.

SECTION 2 - MOTION FOR CLERK APPOINTMENT OF CERTIFIED MEDIATOR

1. The above named matter was referred to mediation and the parties had _____ days to select a certified mediator.
2. After a full and frank discussion, the parties have been unable to agree upon the selection of a certified mediator.
3. Pursuant to Rule 2.B. of the Rules of Clerk Mediation Program, the petitioner moves the Clerk of Superior Court to appoint:
 - a. a certified Superior Court or Family Financial Mediator; or
 - b. because this is an estate or guardianship matter, a mediator who has completed estate and guardianship mediation training and is certified to mediate such matters.

SIGNATURE		
<i>Date</i>	<i>Name Of Person/Entity Filing Designation</i>	<i>Signature Of Person/Entity Filing Designation</i>

ORDER OF APPOINTMENT

The parties having reported their failure to agree upon the selection of a mediator, or the parties having failed to timely notify the Clerk of their selection after this matter was ordered to mediation, the Clerk appoints the following to conduct this mediation:

- a Certified Superior Court or Family Financial Mediator.
- a mediator who has completed estate and guardianship mediation training and is certified to mediate estate and guardianship matters.

<i>Name And Address Of Mediator</i>	<i>Telephone No.</i>
	<i>FAX No.</i>
<i>Mediator's Email Address</i>	

NOTICE TO MEDIATOR: *The mediator shall be responsible for reserving a place and making arrangements for the mediation and giving timely notice to all attorneys and unrepresented parties of the time and location of the mediation. The mediation shall be completed by the completion deadline set forth above, and the mediator shall report the results of the conference to the Clerk within ten (10) days after the mediation is completed.*

<i>Date</i>	<i>Signature Of Clerk</i>
<i>Name Of Clerk (Type Or Print)</i>	<input type="checkbox"/> <i>Assistant CSC</i> <input type="checkbox"/> <i>Clerk Of Superior Court</i>

CERTIFICATE OF SERVICE

I certify that a copy of this Designation Of Mediator In Matter Before Clerk Of Superior Court was served as follows:

On the Petitioner *(name plaintiff)* _____, on *(give date)* _____ by

depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to the plaintiff at the address listed above. the plaintiff's attorney at the following address: _____.

Other: _____.

On Respondent 1, *(name defendant)* _____, on *(give date)* _____ by

depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to the defendant at the address listed above. the defendant's attorney at the following address: _____.

Other: _____.

On Respondent 2, *(name defendant)* _____, on *(give date)* _____ by

depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to the defendant at the address listed above. the defendant's attorney at the following address: _____.

Other: _____.

<i>Signature</i>	<input type="checkbox"/> <i>Assistant CSC</i> <input type="checkbox"/> <i>Party</i> <input type="checkbox"/> <i>Clerk Of Superior Court</i>
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