

## CONFIDENTIALITY AGREEMENT

Mediation is a valuable process because it helps people talk and negotiate agreements that meet their unique needs. To encourage information sharing, communication in the mediation process is confidential.

**The participants, the mediators and the Mediation Center of the Pacific, Inc. (“Mediation Center”)** agree not to share with any judge, administrative hearing officer, arbitrator, or anyone in any legal or judicial process, any part of the mediation communications. Mediation communications include verbal or written statements made as part of the mediation, such as proposed resolutions or unsigned agreements, which also cannot be presented in court or any other legal proceeding. Only signed mediated agreements may be presented in court or other legal proceeding.

**The participants** acknowledge and agree that mediation communications and any signed mediated agreements shall be subject to the laws of Hawai`i.

**The participants** additionally agree that they will not record or videotape any part of the mediation process. They additionally agree that at no time, before, during, or after the mediation, will they contact the mediator, anyone associated with the mediator, or the staff of the Mediation Center, to testify concerning the mediation or to provide any materials or written information from the Mediation Center or the mediation, in any legal proceeding.

**The participants** further agree that under Hawai`i law, there are a few exceptions to confidentiality, including reports of child abuse, elder abuse or threats of physical harm. The mediators will report threats of physical harm, child abuse or elder abuse to the Mediation Center staff who may then report the information to the appropriate authorities.

Finally, **the participants** agree that the Mediator shall not be liable for any act or omission in connection with the mediation, other than as a result of his/her willful misconduct.

Print Name	Signature	Date
Print Name	Signature	Date
Print Name	Signature	Date
Print Name	Signature	Date
Print Name	Signature	Date