

# **Specimen Contractual Mediation Clauses**

## **Simple Mediation Clause**

If any dispute arises in connection with this agreement, the parties will attempt to settle it by mediation. Unless otherwise agreed between the parties, the mediator will be nominated by ....., Notice in writing (“mediation request”) must be given by one party to the other party [ies] to the dispute requesting a mediation. The mediation will start not later than [ ] days after the date of the mediation request . [No party will commence court proceedings / arbitration in relation to any dispute arising out of this agreement until it has attempted to settle the dispute by mediation.]

## **Mediation Preceded by Informal Meeting between Parties**

If any dispute arises in connection with this agreement, the chief executive / manager, director [or other senior representative] of the parties with authority to settle the dispute will meet in a good faith effort to resolve the dispute within [ ] days of a written request from one party to the other.

If the dispute is not resolved at that meeting, the parties will attempt to settle it by mediation. Unless otherwise agreed between the parties, the mediator will be nominated by ..... \_To initiate the mediation a party must give notice in writing (“mediation request”) to the other party [ies] to the dispute requesting mediation. The mediation will start not later than [..... ] days after the date of the mediation request.

[No party may commence any court proceedings / arbitration in relation to any dispute arising out of this agreement until it has attempted to settle the dispute by mediation.]