

Full-Day Mediation

	Austin	Other Texas Cities <i>Includes travel expenses & time</i>	US or Canada <i>Includes travel expenses & time</i>	Outside US or Canada <i>Includes travel time</i>
2 parties	\$2,200 / party	\$2,700 / party	\$5,500 / party	Email for fixed fee based on location, anticipated travel expenses and number of parties
3 parties	\$2,000 / party	\$2,300 / party	\$4,500 / party	
4 parties	\$1,800 / party	\$2,000 / party	\$3,500 / party	
5 parties	\$1,600 / party	\$1,800 / party	\$2,700 / party	
6–10 parties	\$1,500 / party	\$1,600 / party	\$2,300 / party	
>10 parties	negotiable			

What's included in the fee. Supplemental invoices are rare. The above fees include:

- A true “full day.” This means no overtime charges if it goes beyond a certain hour. As long as I get home by midnight (for Austin mediations), catch the last flight home (for Texas mediations), or get back to the hotel that night (for out of state mediations), your fee has it covered.
- Preparation, including pre-session calls with parties’ counsel
- Travel expenses and time, including for out-of-state mediations a post-session hotel with travel the next day.
- Lunch served on site
- Up to 3 hours of follow-up, if needed, in succeeding days or weeks.

What a “party” is. A “party” is one or more participants represented by solely by the same counsel. Separate counsel means a separate mediation “party” without regard to issue alignment. Also, if the number of parties changes between confirmation and mediation day, the fee would change with appropriate increase/decrease of the fee.

What the rates reflect. The fees reflect the demand for my services, the nature of the cases, and the commitment parties are expected to bring to the process.

Other Fee Considerations and Charges

Other Possible Charges. Occasionally, parties will be responsible charges associated with mediations not held the office of one of the attorneys or outside Austin—typically use of a conference facility. If I need to reserve a conference facility, I anticipate any charges in advance and incorporate it into a slightly revised per party fee.

Post-session Supplemental Billing. While a rare occurrence, if pre-session work was greatly more than anticipated, post-session day follow-up exceeded the 3 hours, and/or (for Texas mediations only) I missed that last flight home causing me to invest time going home the next day, I reserve the right to charge an additional fee of \$600 per hour (to be divided) for the additional time, plus unanticipated expenses (such a unanticipated hotel stay).

Case-specific Considerations. Based upon your dispute, we could have a different fee agreement if we anticipate unusual preparation time, extended post-mediation work, or the like. My confirmation email will set out any agreed special fee considerations. If you think I should consider other factors in setting your fee, I am pleased to do so.

Half-day Mediations: Half-day mediations are only possible in Austin in a 2-party case. The fee is \$1,600 per party.

Payment, Cancellation and Other Policies

Payment Due Date and Guarantee. Payment must be received one week before the mediation and should be made payable to Van Osselaer Dispute Resolution PLLC (Tax ID # 46-4228210). If fees are not timely paid by all parties, the session is subject to cancellation. Additional charges, if applicable, are billed promptly after the mediation and due upon receipt. All fees and charges are guaranteed by the party and by the party’s counsel.

Cancellation. A 25% fee (plus any non-refundable expenses incurred, such as conference center or hotel cancellation fee) will be charged if the mediation is cancelled for any reason on less than ten (10) business days’ notice.

Other Terms. Parties and counsel agree that participation in the mediation by submission of a mediation statement or attendance on mediation day constitutes agreement to these terms as well as those on the *Mediation Details* document and in your emailed mediation confirmation. Once mediation day begins, the full fee is deemed earned.