

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – LAW DIVISION**

)	No.:
)	
Plaintiff(s),)	
)	
v.)	Judge:
)	
)	
Defendant(s).)	

CONFIDENTIALITY AGREEMENT AND NONREPRESENTATION ACKNOWLEDGMENT

IT IS HEREBY AGREED by and between the mediation participants and their counsel _____, and _____, Mediator, that all oral and written communications made during any and all mediation sessions shall remain confidential, are exempt from discovery, are inadmissible as evidence, and shall not be disclosed by the participants or the mediator in any court of law or other proceeding. The participants agree that the mediator shall not be subject to administrative or judicial process requiring disclosure of any matters discussed, nor shall the mediator disclose any information obtained or notes or work product produced during the mediation sessions. However, all mediation participants acknowledge the following exceptions to the aforesaid: evidence that is otherwise admissible or subject to discovery does not become inadmissible or protected from discovery solely by reason of its use in a mediation; an exception to this confidentiality may be made by the mediator or attorney for professional misconduct reporting requirements, to defend against a lawsuit or claim against the mediator or attorney for malpractice or other misconduct, or in the case of threat of serious imminent harm to any person. In such circumstances the mediator or attorney may report only the necessary information to the appropriate authorities and the mediator shall not be compelled to provide evidence of a mediation communication in a lawsuit or claim against an attorney or party participating in the mediation.

The parties and mediation participants further acknowledge that the Mediator, _____, and all members of his/her firm, _____, have never represented any party in this case and will not afford or provide any legal advice to any such party or participant in this mediation.

DATE: _____	PLAINTIFF(S): _____	DEFENDANT(S): _____
MEDIATOR: _____	PLAINTIFF ATTORNEY: _____	DEFENDANT ATTORNEY: _____
	REPRESENTATIVE: _____	REPRESENTATIVE: _____