

Friend of the Court Domestic Relations Mediation Checklist

Case Number: _____

Plaintiff: _____

Defendant: _____

Friend of the Court staff will complete the following for an FOC domestic relations mediation session.

A. Before the Mediation is Scheduled

- | Yes | No | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Check the court file for an objection. If an objection was filed, do not proceed absent a court order. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. The court ordered mediation after hearing the objection. If not, do not proceed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The FOC case was screened for domestic violence using a domestic violence screening protocol provided by the State Court Administrative Office. If not, do not proceed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. There were signs of domestic violence discovered during the screening. If yes, proceed to 5, 6, and 7. If no, skip 5, 6, and 7. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. The domestic violence victim agreed to participate in the mediation. If no, do not proceed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. The domestic violence victim signed a consent form to participate in the mediation. If no, do not proceed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. The domestic violence victim signed a consent form and additional safety precautions were taken. If no, do not proceed. If yes, the additional precautions were:

_____ |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. The Michigan Department of Health and Human Service Child Protective Services verified that there were no prior or present child abuse and neglect allegations that were substantiated. If no, do not proceed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. There are reasons to believe that one or both parties cannot negotiate for themselves at the mediation. If yes, do not proceed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. There are reasons to believe that one or both parties' health and safety are endangered by participating in a mediation. If yes, do not proceed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. There are other good cause reasons to exempt the case from a mediation. If yes, do not proceed. Those good cause reasons are:

_____ |

B. During the Mediation

Yes No

1. Make reasonable efforts during the mediation to screen for domestic violence that would make the conference physically or emotionally unsafe for the parties and that would impede achieving a voluntary and safe resolution of the issues. Are any issues present? If yes, do not proceed.
2. If domestic violence is discovered during the mediation does the victim agree to continue to participate in the mediation? If no, do not proceed.
3. If domestic violence is discovered during the mediation, will the victim sign a consent form to participate in the mediation? If no, do not proceed.
4. If the domestic violence victim signed a consent form can additional safety precautions be taken? If no, do not proceed. If yes, the additional precautions are:
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5. At the beginning of the mediation inform the parties of the following:
- The purpose of mediation;
 - How the mediator will conduct mediation;
 - Except as provided for in [MCR 2.412\(D\)\(8\)](#), statements made during the mediation process are confidential and cannot be used in court proceedings

C. After Mediation

Yes No

1. The parties reached an agreement. If yes, proceed to 2 and 3. If no, proceed to 3.
2. Use the [FOC 89](#) to record the consent agreement
3. Complete an [MC 280 Mediation Status Report](#) and submit it to the court within 7 days.

Date: _____

FOC Employee: _____