

MEDIATION FEE SCHEDULE

DONALD KELLEY

2008 MEDIATOR BILLING RATES*

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Number of Parties	Billing Rate
Half Day Rates Per Party	
2 (claim value <\$100K)	\$650
2 (claim value >\$100K)	\$750
3	\$610
4	\$535
Full Day Rates Per Party	
2	\$1500
3	\$1100
4	\$900
5	\$800
6	\$735
7	\$675
8	\$625

*Based on number of parties and hearing time indicated. Different or additional fees may apply for more parties or hearings requiring travel or special circumstances. Hourly rate of \$350 charged for time in excess of the half or full day rates listed above.

MEDIATION FEE POLICIES

- Minimum Hearing Charge** - The minimum hearing time fee is the applicable half or full-day rate for the time scheduled, even if the mediation is concluded within a shorter period of time than what was scheduled. *Any additional time required beyond the half or full-day rate will be billed at the mediator's hourly rate.* The mediation fee will be billed to the attorneys or representatives of the parties to the mediation. A \$75/hr staffing surcharge applies to hearing time past 6:00 p.m. or on weekends at WAMS. **No additional admin fee.**
- Ten (10) Business Day Cancellation Policy** – A late cancellation fee is assessed for hearings that are postponed or cancelled *for any reason* within ten (10) business days of a scheduled hearing. The flat fee rate per party will be billed to each party's attorney (or in accordance with the parties' fee agreement), unless another matter can be scheduled to fill the time reserved on the calendar. **The cancellation notice must be received in writing at WAMS before 5:00 p.m. on the 10th business day before the mediation date. (The mediation date is not counted for cancellation purposes).** If a case is settled or otherwise withdrawn from mediation at least ten (10) business days prior to the mediation date, there is no charge to the parties. Multiple day mediation sessions have cancellation deadlines determined by the case administrator, but generally add 5 business days to the cancellation date per additional mediation day.
- Mediator Billing Guidelines** - Half or full-day rates include time for reasonable review of submissions. Mediators bill for: excess review, travel and telephone follow-up on an hourly basis, in accordance with the fee agreement between the parties at the time of scheduling; reimbursement for travel or telephone expenses; auto mileage at the IRS rate. Subsequent mediation sessions are scheduled and billed on a half or full day basis in accordance with the rates then in effect. *Reduced rates may be available for MAR limit cases.*
- Fee Responsibility** - *Attorneys and client representatives are responsible for payment of their clients' shares of the mediation cost within 45 days of invoicing and are advised to pre-collect the projected mediation fees prior to mediation. WAMS is not responsible for obtaining payment from individual or business clients of attorneys.* All representatives will receive a mediation cost memo prior to the mediation session. Prepayment may be required of clients with no payment history with WAMS or due to the nature of the case.
- Withdrawal/Settlement of Party in Multi-Party Case** – If a party involved in a multi-party mediation effort settles out or otherwise withdraws from the mediation effort before the late cancellation deadline, there will be no further fee obligation for that party. If the withdrawal or settlement occurs after the late cancellation deadline and the remaining parties do not agree to reallocate the fee obligation, the withdrawing party remains obligated to share in any applicable late cancellation fee.