

Mediation Settlement Record

A nonbinding working record of proposed terms. This form is not a settlement agreement, release, consent award, or authority to disclose mediation communications.

1. Matter and participants

Matter / case number / mediator / session date

Participating parties and negotiating representatives

2. Proposed terms for further review

Proposed payment, performance, or other principal terms

Conditions, timing, approvals, and unresolved matters

Documents to be prepared by the parties or their independent counsel

Responsible persons / drafting and review dates / next session if needed

3. Nonbinding status and confidentiality

This record documents proposals for further consideration only. It does not obligate a party to settle, release a claim, dismiss litigation, make a payment, or perform any proposed term. No binding settlement arises from completing or acknowledging this form.

If the parties intend to conclude a binding settlement, they must use a separate final agreement with the required signatures and terms suited to the matter. Admissibility and disclosure under Evidence Code section 1123, and enforcement under Code of Civil Procedure section 664.6 where applicable, require their own legal conditions. No statutory condition is satisfied merely by the mediator's involvement or by the firm's branding.

Qualifying mediation communications remain subject to applicable confidentiality law, including protection that may continue after mediation ends. This record contains no general consent to disclose the mediation. Parties should obtain independent advice before using proposed terms in a final agreement.

Prepared by / date / acknowledgment of working record only

Authorities and scope

California Evidence Code § 1123

California Evidence Code § 1126

California Code of Civil Procedure § 664.6