

Mediation Process

- You or we may refer to mediation a dispute in relation to legal costs that we have invoiced to you. Neither of us shall be obliged to do so; nor shall we be obliged to participate in a mediation commenced by the other party.
- The party wishing to refer a dispute to mediation shall write to the other party notifying the other party of the referral of the dispute to mediation. The notice shall be clearly marked "Notice of Referral to Mediation", and may nominate one or more individuals for the role of mediator. All notices sent to Maples should be marked for the attention of the Managing Partner.
- If the party receiving the Notice of Referral to Mediation does not wish to participate in mediation it shall so notify the other party within 14 days of receipt of the Notice.
- If the party receiving the Notice of Referral to Mediation does not agree to the appointment as mediator of an individual proposed by the referring party (if any), or otherwise wishes to nominate (an)other individual(s) for the role, it may do so by return.
- If a mediator has not been appointed by the parties by agreement within 14 days of the Notice of Referral to Mediation, and the party receiving the Notice has not indicated its unwillingness to participate in mediation, either party may apply to the President of the Law Society of Ireland in writing to appoint an appropriate person as mediator, indicating in the application that the dispute relates to legal costs. The application shall be copied to the other party.
- The mediator shall, after consulting with the parties, make directions as to how the mediation is to be conducted. The parties shall comply with the mediator's directions.
- The mediator shall be independent of the parties and shall act impartially.
- The mediation shall conclude if the dispute has not been resolved by agreement within 28 days of the mediator's appointment, or within such longer period as is agreed by the parties.
- The mediator may resign by notice to the parties if either party is, in the opinion of the mediator, failing to engage with the mediator or the mediation process.
- The mediation shall be confidential, and shall be conducted on a without prejudice basis. The parties shall not reveal or use in legal costs adjudication or any other forum information given to them by the other party at the mediation, whether orally or in writing. The parties shall return to each other after the conclusion of the mediation all documents received by them from the other party during the mediation process.
- Each party shall bear their own costs of mediating, and shall each be responsible for 50% of the mediator's fees.