



LAW AND MEDIATION OFFICES OF KELLY CHANG
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MEDIATION INTAKE FORM

You both have wisely elected to mediate your divorce. Please take a few moments to complete this form before we meet. Please be as specific as you can.

The purpose of a mediation orientation is twofold:

- 1) It provides a time for you two to ask all questions about mediation versus litigation.
- 2) It gives both of you an opportunity to meet me and assess my ability to be neutral facilitator in your case to help you reach settlement.

It is important to understand the difference between a mediator and an attorney. As your mediator, I am barred from being your attorney. Thus, if the case does not settle, and you both need to hire lawyers, I cannot be either of your lawyers. More importantly, mediators are not permitted to give legal advice.

If you both decide on hiring me as a mediator, we will enter into a written fee agreement, which spells out our responsibilities, and an advance retainer will be required.

Rules for Mediation Consultation

1. Mediation is a voluntary process. No one can be “forced” into mediation. Both parties must agree, and be present, to use mediation.
2. Although Kelly Chang Rickert is an attorney, you have chosen to hire her in a capacity of a mediator. Thus, **she is not acting as either of your attorneys** in any capacity, and there shall be no attorney-client privilege, as detailed in the Disclosure form attached. Kelly Chang Rickert cannot give you legal advice in her capacity as a mediator
3. Neutrality is central to mediation. Thus, Kelly will not communicate with either of you without the other party’s knowledge, or consent. Kelly will not return any phone calls or emails in between sessions unless both of you are on the phone and on the email chain. This helps preserve the neutrality of the mediator, which is essential to the success of mediation.
4. Though we strongly believe mediation is the BEST way to resolve disputes, it may not be appropriate in the following scenarios:
 - a. When one party refuses to mediate;
 - b. If there is domestic violence in your matter;
 - c. When one or both parties is hiding assets;
 - d. When one or both parties refuse to negotiate fairly.

We understand the rules of mediation.

Date: _____

Signature: _____

Date: _____

Signature: _____

1. Name of Party #1:
2. Name of Party #2:
3. Contact Information for Party #1 (Email, Telephone, and Address)
4. Contact Information for Party #2 (Email, Telephone, and Address)
5. Marital Status:
6. Do either of you have an attorney? If so, who?
7. Have any papers been filed with the court? Yes No
8. Case #
9. Date of Marriage (need exact date)
10. Length of Marriage
11. Date of Separation
12. Children. (Name, age, DOB)
13. Party 1: What is your desired custody situation?

Party 2: What is your desired custody situation?

Do either of you have plans to move out of the local area?

14. Party #1's Current Employer, if any:
Address:
Phone:
Position:
Date started:

Salary/Earnings:
Employment Benefits:
Pension Plan:
Keogh/401K/403B Plans:

15. Party #2's Current Employer, if any:

Name:
Address:
Phone:
Position:
Date started:
Salary/Earnings:
Employment Benefits:
Pension Plan:
Keogh/401K/403B Plans:

16. Current location and living situation for both (include sources of support).

17. PROPERTY: For each item of Community or Separate Property listed below, indicate Description, Date of Acquisition, Present Location, Source and Nature of Consideration, Purchase Price, Current Fair Market Value and Encumbrances:

Community Property: _____

Party #1's Separate Property: _____

Party #2's Separate Property: _____

18. Any prenuptial/post-nuptial agreements?

19. Current relationship status (amicable? contentious?)

20. History of violence?

21. Are there any issues either of you are concerned about?

22. How did you hear about the Law and Mediation Offices of Kelly Chang?

THANK YOU! SOMEONE WILL CONTACT YOU SHORTLY TO MAKE AN APPOINTMENT FOR YOUR ORIENTATION.

FEES AND COSTS

For Divorce Mediation and Document Preparation, Law Offices of Kelly Chang uses a “pay as you go” model. This model avoids surprises, and helps both spouses with budgeting for the expense of divorce in manageable increments.

In general, fees are broken up into two (2) categories: Mediation Time* and Document Preparation.**

1. If you require mediation to reach an agreement, you can hire Kelly to be your mediator. After you have reached an agreement, you can hire Kelly to prepare your divorce paperwork.
2. If you have already reached an agreement, you can hire Kelly to prepare your paperwork.

***Mediation Fees: \$2,000 per session, broken down as follows: Kelly charges \$500 per hour, with a 3-hour minimum, paid in advance of each session. There is also an administrative fee of \$500 charged for each session.** The administrative fee pays for work done in between sessions, such as finalizing disclosures, preparation of summaries and agendas, phone calls, and emails.

To book a session, we require 50% deposit. (50% of a 3-hour session = \$1,000; 50% of 6-hour session = \$2,000). The parties shall discuss and agree to any split of costs in advance of payment, so as not to waste valuable session time discussing who will pay what portion of the fee.

****Document prep fees (flat fee) paid in advance of document preparation.**

Divorce without Children = \$2,500 + \$435 filing fee (per person) + \$300 processing fee = \$3,670

Divorce with Children = \$3,500 + 435 filing fee (per person) + \$300 processing fee = \$4,670.

The document processing fee pays for our messenger service deliveries to the court, copies, and postage.

Divorce without children documents (flat fee) includes:

Petition and Response (no minor children), includes court filing fee of \$435 per person, see 2017 Superior Court of California Statewide Fee Schedule:

<http://www.courts.ca.gov/documents/filingfees.pdf>

Family Law Case Cover Sheet

Summons

Notice and Acknowledgment of Receipt

Proof of Service

Actual service of papers and copies (Filing the Petition STARTS the case. However, your case is not complete until a **Judgment packet** is filed. (see below).

Judgment Package:

Declaration of Disclosures (one per party)

Declaration re: Default of Uncontested Divorce

Appearances, Stipulations and Waivers

Judgment Cover Sheet plus Stipulated Judgment

Notice of Entry of Judgment

Declaration re: Service of Declaration of Disclosures
Stipulation for Waiver of Final Declarations of Disclosures

*There is a flat rate processing charge of \$300 for document prep, which includes messenger delivery, postage, copies, etc.

Divorce with children documents (flat fee) includes:

Petition and Response (with minor children), includes court filing fee of \$435 per person, see 2017 Superior Court of California Statewide Fee Schedule:

<http://www.courts.ca.gov/documents/filingfees.pdf>

Family Law Case Cover Sheet

Summons

UCCJEA Statement

Notice and Acknowledgment of Receipt

Proof of Service

Actual service of papers and copies (Filing the Petition STARTS the case. However, your case is not complete until a Judgment packet is filed. (see below).

Judgment Package:

Declaration of Disclosures (one per party)

Declaration re: Default of Uncontested Divorce

Appearances, Stipulations and Waivers

Judgment Cover Sheet plus Stipulated Judgment with Parenting Plan

Notice of Entry of Judgment

Declaration re: Service of Declaration of Disclosures

Child Support Case Registry Form

Stipulation for Waiver of Final Declarations of Disclosures

*There is a flat rate processing charge of \$300 for document prep, which includes messenger delivery, postage, copies, etc.

Recommended Signing Session:

For Mediations and Document prep, we offer a complimentary signing session where both of you will review the documents, and the mediator will answer any questions.

Sample Costs:

For Divorce without children: 1 mediation session \$1,800 plus document prep \$3,670 = \$5,470.

For Divorce with children: 1 mediation session \$1,800 plus document prep \$4,670 = \$6,470.

For Divorce with children: 2 mediation sessions \$3,600 plus document prep \$4,670 = \$8,270.

For Divorce with children: 3 mediation sessions \$5,400 plus document prep \$4,670 = \$10,070.