

§6004-A. Mediation

The court may, in any residential tenancy under this subchapter, at any time refer the parties to mediation on any issue. [PL 2007, c. 246, §2 (NEW); PL 2007, c. 246, §6 (AFF).]

1. Mediated agreement. An agreement reached by the parties through mediation must be reduced to writing, signed by the parties and presented to the court for approval as a court order. [PL 2007, c. 246, §2 (NEW); PL 2007, c. 246, §6 (AFF).]

2. No agreement; good faith effort required. When agreement through mediation is not reached on an issue, the court shall determine that the parties made a good faith effort to mediate the issue before proceeding with a hearing. If the court finds that either party failed to make a good faith effort to mediate, the court may order the parties to submit to mediation, may dismiss the action or a part of the action, may render a decision or judgment by default, may assess attorney's fees and costs or may impose any other sanction that is appropriate in the circumstances. [PL 2007, c. 246, §2 (NEW); PL 2007, c. 246, §6 (AFF).]

3. Mediation not ordered; consent. The court may not order mediation in cases in which no mediator is available or mediation would delay any hearing in the matter, unless the parties consent to a delay in the proceedings to allow mediation to take place. [PL 2007, c. 246, §2 (NEW); PL 2007, c. 246, §6 (AFF).]

4. Mediators provided. The Court Alternative Dispute Resolution Service, established in Title 4, section 18-B, shall provide mediators for mediations under this section. [PL 2007, c. 246, §2 (NEW); PL 2007, c. 246, §6 (AFF).]

5. Rules; fees. The Supreme Judicial Court may adopt rules of procedure for actions under this chapter. [PL 2007, c. 246, §2 (NEW); PL 2007, c. 246, §6 (AFF).]

SECTION HISTORY

PL 2007, c. 246, §2 (NEW). PL 2007, c. 246, §6 (AFF).

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