

679C.3 Mediator privilege.

If a mediation is conducted pursuant to a court order, a court-connected mediation program, a written agreement between the parties, or a provision of law, a mediator or a representative of a mediation program shall not testify about a mediation communication or mediation document in any judicial or administrative proceeding except under any of the following circumstances:

1. When all parties and the mediator agree, in writing, to disclosure.
2. When disclosure is required by statute.
3. When a mediation communication or mediation document provides evidence of an ongoing or future criminal activity.
4. When a mediation communication or mediation document provides evidence of child abuse as defined in section 232.68, subsection 2.
5. When a mediation communication or mediation document is relevant to the legal claims of a party against a mediator or mediation program arising out of a breach of the legal obligations of the mediator or mediation program.
6. Provided all parties agree to disclosure, when a mediation communication or mediation document is relevant to determining the existence of an agreement that resulted from the mediation or is relevant to the enforcement of such an agreement.

98 Acts, ch 1062, §3