

679C.1 Definitions.

As used in this chapter, unless the context suggests otherwise:

1. "*Mediation*" means a process in which an impartial person facilitates the resolution of a dispute by promoting voluntary agreement of the parties to the dispute. In a mediation, the decision-making authority rests with the parties. A mediation commences at the time of initial contact with a mediator or mediation program and includes all contacts between the mediator or a mediation program and any party until such time as a resolution is reached by the parties or the mediation process concludes.
2. "*Mediation communication*" means any communication or behavior in connection with a mediation by or between any party, mediator, mediation program, or any other person present during a mediation.
3. "*Mediation document*" means any written material, including copies of written material, prepared for the purpose of or in the course of, or pursuant to, a mediation, including, but not limited to, memoranda, notes, files, records, and work product of a mediator, mediation program, or party, except that a "*mediation document*" shall not include either of the following:
 - a. An agreement by the parties which specifies that the mediation documents may be disclosed or enforced.
 - b. Summary records of a mediation program necessary to evaluate or monitor the performance of the program.
4. "*Mediation program*" means a plan or organization through which mediators and mediations may be provided.
5. "*Mediator*" means an impartial person who facilitates the resolution of a dispute between parties in the mediation process.
6. "*Party*" means a mediation participant other than the mediator and may be a person, public officer, corporation, association, or other organization or entity, either public or private.

98 Acts, ch 1062, §1