



THE VICTORIAN BAR EXPEDITED MEDIATION SCHEME

1. The Victorian Bar has protocols (**Protocols**) governing the procedure to be followed when the President of the Victorian Bar is requested by a Court, or by the parties to a dispute, to nominate a mediator to conduct mediation of a dispute.
2. The Victorian Bar maintains panels of members who are nationally accredited mediators who are able and willing to undertake mediation in accordance with the applicable Protocols, both online and in person. For online mediations, panel members have access to a range of online mediation platforms.
3. A request for the President of the Victorian Bar to nominate a mediator to conduct a mediation must be in writing and be emailed to mediation@vicbar.com.au with the name and contact details of each party's practitioner, or if no practitioner, of the party. The request received will be deemed received on the day it is received, or if received after 5:00pm, or on a day that is not a business day in Victoria, at 09:00am on the next business day.
4. The parties must provide such further information as the Victorian Bar may reasonably request from the parties to assist with the identification of an appropriate mediator.
5. Subject to any necessary extension of time arising from a request and the provision of further information, within three business days of receipt by the Victorian Bar of a request for the President of the Victorian Bar to nominate a mediator, the President of the Victorian Bar, for the time being, will appoint a member of the Victorian Bar who is a nationally accredited mediator.
6. In appointing a mediator, the President of the Victorian Bar will be informed by the Alternative Dispute Resolution Committee of the Victorian Bar, which will recommend to the President, the name of a nationally accredited mediator from the relevant panel.
7. The parties to a mediation must co-operate with the appointed mediator in all respects in connection with the mediation.
8. A mediation conducted by an appointed mediator, excluding preparation time, may be:
 - 8.1 a half-day of three hours
 - 8.2 a full-day of six hours, or
 - 8.3 such other length of time as the appointed mediator and the parties may agree, andif the parties and the mediator agree, may be adjourned for further mediation on another date.
9. Within seven days of the mediator's appointment, the appointed mediator will contact the parties and/or their practitioners, to provide details of the mediator's fees to the parties and to arrange a time and necessary details for the mediation to take place.
10. The mediator may require:
 - 10.1 a preliminary conference with the parties and/or their practitioners, for which the mediator may charge an additional fee
 - 10.2 payment of fees into the mediator's clerk's trust account prior to the date of the mediation, and

- 10.3 the parties to provide further information about the matter the subject of the mediation.
11. Save as otherwise provided, the mediator must commence the mediation within 30 days of the mediator's appointment at a location, or in the case of online mediation, utilising an online platform which is to the reasonable satisfaction of the mediator and the parties.
 12. Within seven days of the commencement of the mediation of matters the subject of court proceedings, the mediator must report to the Court (Court to nominate an email address):
 - 12.1 if the matter has been resolved, if consent orders are to be filed, or
 - 12.2 if the matter has not been resolved, if it has been adjourned for further mediation on another date, or if the mediation is finished.
 13. The time within the mediation must commence may be extended by agreement between the parties and the mediator, but in mediations the subject of a referral to the Scheme by a Court, may only be extended by Order of the Court.
 14. Unless otherwise ordered, or agreed by the parties, the mediator's fees are to be borne by the parties equally.
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