



1 disclose any information obtained during any part of the mediation  
2 proceedings including but not limited to mediation scheduling,  
3 attendance, participation, or discussion of any proposed settlement  
4 agreement, items agreed upon or disputed, or the intent of the  
5 parties.

6 D. Each mediation session shall be informal. No adjudication  
7 sanction or penalty may be made or imposed by the mediator or the  
8 program.

9 E. No mediator, employee, or agent of a mediator shall be held  
10 liable for civil damages for any statement or decision made in the  
11 process of mediating or settling a dispute unless the action of such  
12 person was a result of gross negligence with malicious purpose or in  
13 a manner exhibiting willful disregard of the rights, safety, or  
14 property of any party to the mediation.

15 F. If a party who has participated in mediation brings an  
16 action for damages against a mediator arising out of mediation, for  
17 purposes of that action the privilege provided for in subsection A  
18 of this section shall be deemed to be waived as to the party  
19 bringing the action.

20 SECTION 2. This act shall become effective November 1, 2023.

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22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CIVIL, dated  
23 04/11/2023 - DO PASS.

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