

FRAN BROCHSTEIN, L L C

Attorney at Law & Mediator

8978 Kirby Drive
Houston, TX 77054

(713) 847-6000
FAX (832) 415-0139
Cell (713) 805-9591

www.familylaw4u.com
www.mediationhoustontexas.com

Suggestions to make mediation more efficient:

1. Location – 8978 Kirby, Houston, Texas 77054.

The building is across the freeway from NRG Stadium at Loop 610.

The building is a 2-story brown office building located directly behind Mike Calvert Toyota Dealership. If you reach the West Bellfort intersection, you have gone too far. We are located directly across the street from the vacant lot formerly known as Astroworld.

The law office is at the end of the building on the 1st floor. Above the glass door appears “8978” and beside it appears “Bushman Law Office” and “Fran Brochstein LLC”.

Suite numbers on this property are not in sequence!

Parking is free.

Look for the “Findley Barber Supply” sign at the corner of the building.

2. Payment – A deposit of at least \$150 (money order or attorney check) need to be paid 3 days before the mediation date. Payment must be received at my office at least 3 days prior to the mediation session. You can mail in your payment (do not mail cash), drop off your payment in our 24-hour night drop (located to the right of the front door) or pay via my website www.familylaw4u.com with a credit or debit card.
3. Before mediation begins, both parties must sign the paperwork to agree to mediate and pay the mediation fee by debit/credit card, cash, money order or attorney check.

I use Lawpay for payments via debit and credit cards -- but I still prefer cash!

There is NO ATM in our building. The closest ATM is located at Loop 610 and Buffalo Speedway.

I DO NOT ACCEPT PERSONAL CHECKS.

Payment is expected at the time of our mediation. I do not send bills due to my low mediation hourly rate. If we go over 4 hours, payment is expected immediately – charged at \$75 per hour per side.

It is suggested that you bring at least \$600 cash in small bills or have a debit/credit card with you. Do not expect the mediator to be able to make change.

Attorney checks are accepted.

The minimum charge for mediation is \$300 per party or \$600 total for 4 hours when there are 2 parties. I charge more for additional parties.

4. Cancellation Policy - Due to the high number of last minute cancellations, I am now charging a cancellation fee if you cancel within 3 days of your mediation date.

My cancellation fee is \$150 if less than 72 hours notice or \$300 if less than 24 hours notice.

If you reach an agreement or no longer plan to attend mediation, please let me know as soon as possible.

5. Mediation begins promptly at the appointment time. Please arrive on time.
5. We do not provide babysitting services. Please arrange to have child care for your children.
6. Please do not bring any friends or relatives with you to mediation without prior approval by the mediator and all attorneys. Spouses are usually allowed – fiancés are not allowed. Do not have anyone contact the mediator to advocate on your behalf. If you do not speak English, you need to bring someone to interpret to the mediation.
7. If a child over the age of 12 needs to be interviewed by me, all parties & legal counsel must agree to this in advance. A third-party must then remove the child from the mediation after I have interviewed the child. Be aware that interviewing the child normally adds at least two (2) hours to the mediation process.
8. Length of Mediation - Please anticipate remaining at mediation for 6-12 hours. Do not pick a date when you have something to do in the evening. Mediation can be a slow process. I cannot rush it.

FYI: My longest ½ day mediation lasted 13 hours, so please plan accordingly. If we are making progress and everyone agrees to stay, I prefer to keep working toward resolution. Payment of the additional hours is expected at the time mediation services are rendered.

9. What to bring to mediation - If you think you might need something, bring it with you and leave it in your vehicle.

If you do not bring the necessary information to address all mediation issues then I will be forced to stop the mediation & re-set it for a second session. Of course, both parties will incur another \$300 mediation fee for the second mediation session.

Suggested items to bring to mediation are:

- a. All paperwork to determine income – such as at least 3 recent pay stubs & tax returns for the past 3 years.
- b. All paperwork concerning community assets such as bank accounts, current house note, down payment, equity, current appraisals of assets, current loan value, value of retirement plan at marriage and now, vehicle titles, deeds to all real estate, car value, etc.
- c. All paperwork concerning the community liabilities - such as credit card number and balance due at time of separation and now. Bring copies of all credit card statements for the past 2 years.
- d. All paperwork concerning separate property assets and liabilities. If separate property is alleged, proof is required.
- e. All insurance paperwork – health, life, vehicle, homeowners, etc.
- f. Photos, emails, texts, recordings, etc.
- g. Bring all log-in names & passwords for any accounts you have in case it is necessary to access the information via the internet.
- h. Laptop or I-pad if it contains potential information that might be needed at mediation.
- i. Proof of all potential allegations that might be made at the mediation.
- j. Drug test results.
- k. If discovery was issued, all paperwork in your possession.
- l. Copies of all pleadings filed with the court.
- m. If real estate is involved, bring appraisal or other info to determine value.

10. If custody is an issue, be prepared to discuss why you should have custody and why the other parent should not have custody. (Be specific & concise – with examples.)

Bring a written list of all of your concerns, issues and/or problems to the mediation. Please do not bring up a new topic in the 3rd hour of the mediation. If something is a “concern” I need to know about it at the beginning of the mediation. If you don’t bring it up at the beginning of the mediation, then I will assume it is not that important to you.

11. If children are involved in your case, bring a photo of the children to mediation.

12. If you take any medications, please bring them (such as high blood pressure medication, asthma medication, diabetic supplies, extra oxygen tanks, etc.) to the mediation since you do not know how long you will be at my office.

13. No peeking - You are not allowed to roam around the office. You must remain in the room that you are assigned to unless you are going to the kitchen for a snack or to use the restroom. Our office houses 3 separate attorneys so you need to remain in the room that you are assigned to at all times.

14. No snooping - If I discover you attempting to listen to the other party’s private conversation, text the other side during the mediation, or to record the mediation, I will immediately terminate the mediation and no money will be refunded. You are expected to behave in a respectful, professional and courteous manner at all times.

15. Food & beverages - Bottled water, coffee, hot tea, soft drinks and light snacks are provided. Please feel free to bring your favorite snack, candy, gum or soft drinks.

If you smoke, bring plenty of cigarettes. Remember you could be at mediation for up to 12 hours so plan accordingly. You must not eat food in the refrigerator.

- 16. What to wear - Wear comfortable clothing. Bring a sweater or light jacket, if you get cold easily.**
- 17. Our wireless internet does not consistently work. Please feel free to bring a magazine or book to read.**
- 18. Impasse - The parties and their legal counsel agree to stay at mediation until the mediator declares an impasse and gives everyone permission to leave. If an impasse is declared, I only notify the Court that you attended the mediation, but no details of the mediation is submitted to the Court. If you leave before an impasse is declared by me, I will report this to the Judge.**
- 19. If an agreement is reached, the agreement is prepared and everyone signs what has been agreed upon. The parties and their attorneys receive a copy of the Mediated Settlement Agreement (MSA). This MSA document is filed with the Court if there a case pending.**
- 20. Partial or Temporary Mediated Settlement Agreements - Sometimes parties agree to do a Partial Mediated Settlement Agreement and to take the unresolved issues to the judge to decide. I have also done Temporary Mediated Settlement Agreements where the parties agree to return to me for a final session after 4-6 months – usually done when custody is changed or one spouse is undergoing a major medical issue and needs to continue to be on spouse’s insurance.**
- 20. Attorneys -- If you have a legal document (such as a Final Decree), bring it on a stick drive in case we need to modify it. I am willing to work with the attorneys to have all necessary paperwork (such as power of attorney for motor vehicle) signed at mediation. There is usually a notary in the office.**