



ADMINISTRATIVE RULES OF MONTANA



24.16.4025 MEDIATION

- (1) Mediations are conducted in accordance with the provisions of 26-1-813, MCA.
- (2) The department shall appoint a mediator and notify the parties of the appointment.
- (3) The mediator shall contact the parties to establish the mediation procedures and set a time for the mediation.
- (4) Mediation must be completed within 45 days from the date the notice of mediator appointment is sent unless all parties and the mediator agree to an extension, or the case is withdrawn.
- (5) Following mediation, the mediator shall issue a report as follows:
 - (a) If mediation resolved the dispute, the report will provide the agreement terms for approval by the parties.
 - (b) The mediator shall provide appropriate settlement notice, signed by the parties, if such notice is required to dispose of remaining issues.
 - (c) If mediation does not fully resolve the dispute, the report will provide the parties the opportunity to request a contested case hearing for any unresolved issues in accordance with Title 2, chapter 4, part 6, MCA. Requests for hearing must be received by the department within ten days from the date the mediator's report is sent.
 - (d) The mediator may issue a noncooperation report when a party refuses to participate or otherwise comply with the mediation.
- (6) As permitted by 2-4-603, MCA, mediation may also be requested by parties to a case at any later time prior to full and final judgment.

Authorizing statute(s): 2-4-201, 18-2-409, 18-2-431, 39-3-202, 39-3-216, 39-3-403, MCA

Implementing statute(s): 2-4-201, 2-4-603, 18-2-407, 18-2-409, 39-3-206, 39-3-207, 39-3-209, 39-3-210, 39-3-211, 39-3-216, 39-3-407, MCA

History: NEW, 2022 MAR p. 152, Eff. 1/29/22.