

1502.0017 MEDIATION PROCESS.

Subpart 1. **Combined proceeding for more than one debtor.** The statewide program office shall combine all mediation notices for more than one debtor into one mediation proceeding if the debtors are liable for the same debt or a portion of the same debt on a single piece of agricultural property.

Subp. 2. **Combined proceeding for more than one mediation notice.** The statewide program office shall combine all mediation notices for the same debtor that are received before the initial mediation meeting into one mediation proceeding. It shall be at the statewide program office's discretion as to how to proceed if a mediation notice is served on a debtor between the time of the initial mediation meeting and the end of the mediation period.

Subp. 3. **Meeting place and time.** The mediator shall call mediation meetings during the mediation period. The meetings must be held at a convenient and neutral place and at times as convenient as possible for the mediator, debtor, and creditors attending and participating in mediation meetings, including nights and weekends.

Subp. 4. **Attendance by financial analyst, farm advocate, or attorney.** A financial analyst, farm advocate, or attorney must be permitted to attend mediation meetings at the invitation of the debtor, a creditor, or the mediator. The mediator may establish procedures to facilitate an orderly exchange of information or views, but the mediator must allow a designated representative of a creditor or debtor to speak on behalf of that creditor or debtor. A financial analyst, farm advocate, or attorney may not attend in place of a debtor or a creditor unless the mediator determines a debtor or creditor is unable to attend and the attendance of a financial analyst, farm advocate, or attorney in place of the debtor or a creditor is beneficial to the mediation.

Subp. 5. **Record.** Upon completion of mediation, the mediator shall forward all documents made or used in the course of or because of mediation to the statewide program office. The documents must be kept by the statewide program office in a secure place and are subject to the confidentiality provisions of Minnesota Statutes, section 13.02, subdivisions 9 and 12.

Statutory Authority: *MS s 583.285*

History: *14 SR 1418; 28 SR 1360*

Published Electronically: *May 10, 2004*