

# MCLA Fee Waiver Policy

*Mediation Center of Los Angeles*

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MCLA is committed to providing accessible, low-cost mediation services. While we work in partnership with the court as a referral resource, MCLA is an independent entity and maintains its own policies, procedures, and discretion regarding fee waivers.

## **1. Overview of Fees**

Updated and current fee schedules are available on our websites. For the most accurate and current information, please refer directly to the relevant website for your general mediation or referral mediation at: [MediationLA.org](https://www.MediationLA.org) or [Referral-MCLA.org](https://www.Referral-MCLA.org).

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## **2. Fee Waivers: Scope and Standards**

Fee waivers are considered on a case-by-case basis and may be approved, partially approved, or denied at MCLA's discretion.

### **A. Mediator Independence**

All mediators on MCLA's panel are independent professionals. They are not employees of MCLA and are not required to accept a fee waiver case. When a fee waiver is requested, MCLA will ask whether any panel mediator is willing to accept the case on a fee-waived basis, but MCLA cannot guarantee availability.

### **B. What May Be Waived**

If a fee waiver is approved, the following may be waived for the qualifying party only:

- The \$150 MCLA administrative fee.
- The qualifying party's share of the mediator's fee for the first three (3) hours of mediation, if a willing mediator is available.

### **C. Eligibility Criteria**

When evaluating a fee waiver request, MCLA (and any mediator reviewing the request) will consider the following factors:

- Employment status of the applicant.
- Enrollment in government assistance programs.
- Whether the applicant is self-represented (in pro per).

- Whether the applicant is represented by an attorney providing services on a pro bono basis (not contingency).
- Whether a relative, friend, or other third party is able to assist the applicant in paying their share of the mediator's fee.
- Whether the applicant has resources available from outside sources.

**Please Note:** Approval of a fee waiver does not guarantee that a mediator will be available to accept the case on a waived basis. MCLA will make reasonable efforts to identify a willing mediator.

### 3. Application Process

Fee waivers must be submitted to MCLA prior to being assigned a mediator. To apply for a fee waiver, applicants must follow one of the paths below:

#### A. Court-Issued Fee Waiver

- A current court-issued fee waiver must be submitted to MCLA before a mediator is assigned.
- The court fee waiver must be dated within the past 12 months.
- The court fee waiver must accurately represent the financial condition of the applicant.
- If the court fee waiver is more than 12 months old, the applicant must complete and submit an MCLA Fee Waiver Application instead.

#### B. MCLA Fee Waiver Application

- Applicants who do not have a current court-issued fee waiver may complete and submit an MCLA Fee Waiver Application for MCLA's review.
- MCLA reserves the right to request additional documentation or clarification at any time during the review process.

#### C. MCLA's Discretion

MCLA retains sole discretion to approve, partially approve, or deny a fee waiver at any time, including but not limited to the following circumstances:

- Incomplete or inconsistent information in the application.
- Ineligibility based on the criteria in Section 2.
- Changes in the applicant's financial circumstances.
- Inability to secure a mediator willing to accept the waiver.

### 4. Changes in Financial Circumstances

Applicants are required to promptly notify MCLA of any material changes in their financial circumstances during the mediation process. Upon receiving such notice, MCLA may:

- Reassess the applicant's eligibility for a fee waiver.
- Request updated documentation.

- Modify or revoke a previously approved fee waiver.

## 5. Representation by Counsel

Fee waivers are generally not available to parties who are represented by legal counsel. An exception may be made if the applicant provides sufficient documentation establishing that their attorney is providing services on a pro bono basis. Contingency fee arrangements do not qualify as pro bono representation for purposes of this policy.

## 6. Important Considerations

*Mediation through MCLA is voluntary. Parties are free to seek alternative mediation services at any time.*

*Fee waivers are not guaranteed and are subject to internal review and mediator availability.*

*Approval of a fee waiver does not extend beyond the first three (3) hours of mediation or to the non-waived party's share of fees.*

Questions regarding this policy may be directed to MCLA staff prior to submitting a fee waiver request.