

**Application for Approval to Engage Mediator  
(Form X70)**

To: Director of Legal Aid

Our Ref : \_\_\_\_\_  
L.A. Ref. no : \_\_\_\_\_  
Court Action no. (if any) : \_\_\_\_\_  
Name of aided person : \_\_\_\_\_

**A. Particulars of the nominated mediator:**

1. Name - (English): (Surname) \_\_\_\_\_ (Mr/Mrs/Miss/Ms)  
(Other name) \_\_\_\_\_ (in full)  
(Chinese): \_\_\_\_\_
2. Firm Name if any - (English) : \_\_\_\_\_ (Position: \_\_\_\_\_)  
(Chinese) : \_\_\_\_\_
3. Address: \_\_\_\_\_  
\_\_\_\_\_
4. Telephone : \_\_\_\_\_
5. Fax : \_\_\_\_\_
6. Email: \_\_\_\_\_
7. Profession: \_\_\_\_\_
8. Date of accreditation as mediator (if available) : \_\_\_\_\_
9. Field / Expertise: \_\_\_\_\_ (see Mediator's CV attached)
10. Experience as mediator in the field of dispute : \_\_\_\_\_
11. Hourly rate : \_\_\_\_\_  
*(If the rate is on daily or half-day basis, please provide average hourly rate for statistical purpose.)*
12. Estimated no. of hours required for mediation in this case: \_\_\_\_\_
13. Incidental expenses (e.g. hiring of venue) if any: (please specify) \_\_\_\_\_  
\_\_\_\_\_

**B. Proposed terms of payment of mediator's fee and expenses :**

- equally shared between parties initially and ultimately be costs in the cause
- equally shared between parties irrespective of the result
- borne by the opposite party in any event
- others: please specify: \_\_\_\_\_

**To be completed by the assigned solicitor**

I, \_\_\_\_\_, solicitor acting for the aided person in the above case/proceedings, confirm that:

- a) I have advised the aided person of the availability of Alternative Dispute Resolution which includes mediation.
- b) The aided person wishes to attempt mediation.
- c) This case is suitable for mediation.
- d) This case is ready for mediation.
- e) The mediator nominated is suitable for this case.
- f) The hourly rate/fees of the nominated mediator and incidental expenses is/are reasonable.
- g) I have advised the aided person that if he / she recovers or preserves property in the proceedings / has to pay a contribution, mediation costs will form part of the 1st charge / be paid out of the contribution.
- h) I have obtained the consent of the aided person on the choice of mediator and payment terms.

Signature of the Assigned Solicitor : \_\_\_\_\_  
Name of the Assigned Solicitor : \_\_\_\_\_  
Name of Firm : \_\_\_\_\_  
Date : \_\_\_\_\_

**To be completed by the aided person**

I agree to engage Mr/Mrs/Ms. \_\_\_\_\_ as the mediator in the above case/proceedings.

I am advised by my assigned solicitor of the payment terms and that the Director of Legal Aid (the Director) will first pay the mediator my share of his/her charges of the mediation, if any, on my behalf. I understand that if I recover or preserve property in the proceedings (e.g. compensation / damages) / have paid / have to pay a contribution, mediation costs will form part of the 1st charge / be paid out of the contribution.

Signature of Aided Person : \_\_\_\_\_  
Name of Aided Person : \_\_\_\_\_  
Date : \_\_\_\_\_



### 由外委律師填寫

本人\_\_\_\_\_乃受助人於上述案件／訴訟的代表律師，現確認：

- a) 本人已告知受助人可選擇另類辦法解決糾紛，包括調解服務。
- b) 受助人希望嘗試調解。
- c) 本個案適合調解。
- d) 本個案已準備就緒，可進行調解。
- e) 獲委任的調解員適合調解本個案。
- f) 獲委任的調解員收取的時薪／費用和附帶費用合理。
- g) 本人已告知受助人，如他／她在訴訟中收回或保留財產／須支付分擔費，調解費用將成為第一押記的一部分／由分擔費支付。
- h) 本人已把調解員的人選和付款方式告知受助人，並已取得其同意。

外委律師簽署 : \_\_\_\_\_  
外委律師姓名 : \_\_\_\_\_  
律師行名稱 : \_\_\_\_\_  
日期 : \_\_\_\_\_

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### 由受助人填寫

本人同意聘請\_\_\_\_\_先生/太太/女士為上述案件／訴訟的調解員。

外委律師已向本人解釋調解費用的付款方式，本人所須分擔的部分(如有者)將由法律援助署署長(署長)先行代為支付。本人明白，如本人在訴訟中收回或保留財產(如補償金／損害賠償金)／已支付／須支付分擔費，調解費用將成為第一押記的一部分／由分擔費支付。

受助人簽署 : \_\_\_\_\_  
受助人姓名 : \_\_\_\_\_  
日期 : \_\_\_\_\_