



General District Court Mediation Program Guidelines

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Judicial Services
Office of the Executive Secretary
Supreme Court of Virginia

Introduction

Virginia Code Section [§ 8.01-576.5](#) gives courts the authority to refer any contested civil matter, or selected issues in a civil matter, to an orientation session in order to encourage the early resolution of disputes through the use of procedures that facilitate:

- Open communication between the parties about their dispute,
- Full exploration of the range of options to resolve the dispute,
- Improvement in the relationship between the parties, and
- Control by the parties over the outcome of the dispute.

The court may make this referral on motion of one of the parties, or on its own motion either for a specific case or by standard order. Upon referral, the parties shall attend one orientation session unless excused pursuant to [§ 8.01-576.6](#). Further participation in a dispute resolution proceeding, such as mediation, shall be by consent of all parties.

In such cases in General District Court where the parties agree to participate in mediation with the neutral or dispute resolution program provider appointed by the court the Office of the Executive Secretary (OES) has established the General District Court Mediation Program (GDCMP) to provide these mediations at no cost to the parties. OES has a limited budget available to reimburse the vendors who provide such mediations.

Payment Guidelines

Current Mediation Appointment Rate as of July 1, 2022 - \$120 per appointment

1. A court-referred mediation must be conducted by at least one mediator who is certified at the General District Court level pursuant to the guidelines promulgated by the Judicial Council.
2. The certified mediator may be an individual or part of a dispute resolution program. Either a dispute resolution program or an individual may be a vendor that requests payment for mediation services. The compensation structure for mediations referred from General District Court is the same whether the mediator is supplied by a dispute resolution program or the mediator is appointed by the court.
 - a. Only the vendor that was appointed may request payment for a court-referred mediation. If a mediator both accepts payments directly and works with an organization that accepts GDCMP payments, only one may request payment for a single appointment.
 - b. If the parties choose to work with a vendor other than the one appointed, any subsequent mediation or other ADR proceeding is not admissible under the GDCMP, and the parties and neutral will need to agree on the fee of any such proceeding. ([§ 8.01-576.7](#), [§ 8.01-576.8](#))
3. Vendors may request up to the current Mediation Appointment Rate per appointment mediated.

- a. An appointment for mediation will include one or more filings from General District Court between two or more parties for one or more issues in a civil matter referred from the court.
 - b. A single appointment may take any amount of time to mediate, however, a mediator must have at least moved beyond the “Introduction” stage of mediation for the vendor to request payment. **A vendor may not request payment for an orientation session only.**
4. A vendor may only submit a request for payment after the mediation has concluded. Payment requests should be submitted no later than thirty (30) days after the end of the mediation.
 - a. If a request for payment is submitted more than thirty days after the service is completed, OES may require additional documentation, and/or may deny the request.
 - b. A court may re-refer the parties after a case outcome has been reported to the court, potentially resulting in a new and separate mediation appointment.

Cases Inappropriate for Referral and/or Payment

Small Claims cases filed in Fairfax County GDC are provided for under a separate payment arrangement, and payment should not be requested through the GDCMP.

Submitting Requests for Payment

The Internal Revenue Service requires that all vendors who are paid by the court system have a valid Virginia Substitute W-9 on file with the Supreme Court of Virginia. This form is available [here](#). Vendor payment requests will not be honored unless a properly completed Virginia Substitute W-9 is on file. A new form should also be submitted when there is a change of address, employer's identification number, business name, contact information, etc.

Within 30 days after the conclusion of a mediation, a vendor may use the Electronic Voucher Payment System ([EVPS](#)) to submit a request for payment. Information on the registration and use of EVPS can be found in the [EVPS Mediator User Guide](#). If a vendor cannot, for any reason, submit a payment through EVPS, please contact disputeresolution@vacourts.gov. A single request for payment must correspond to a single mediation appointment.

To submit a request for payment for a GDC mediation appointment, the vendor must have the following information:

- Venue and Jurisdiction of the Referring Court
- Tax Identification Number (SSN or EIN)
- Vendor Name or Business Name
- Address corresponding to the vendor's W-9 information
- Email address to be used for questions about the request
- Complete case number for each filing referred as is listed on the [Online Case Information System](#)

- The time spent in mediation, rounded up to the nearest quarter of an hour, including time spent writing the agreement.
 - If 30 minutes or less time was spent in mediation, please note the mediation steps that were completed for this case (the steps being Introduction, Information Gathering, Issue Identification, Generating Solutions, and Agreement)
- The date and length of each mediation session
- The name and certification number of each certified mediator who mediated this case
- The date that the mediation ended
- The result of the mediation (agreement, partial agreement, provisional/unsigned agreement, or no agreement)
- The types of issues mediated (landlord-tenant, contract, etc.)
- Any ADR-1002 Evaluation of Mediator(s) and Mediation Session(s) returned to the mediator

Additionally, the vendor should have the following information readily available to supply:

- Date the case was referred to a dispute resolution orientation session
- Time spent outside mediation on case
- For each participant:
 - Whether their attorney was present for mediation, or whether the party was representing themselves
 - Whether the participant joined remotely at any point during the mediation
- In the rare case that a voucher is not submitted via EVPS, the vendor should also attach one or both of the following:
 - A DC-400 Mediation Orientation Order of Referral form, signed by a judge; or
 - A copy of the initial court filing, including case number and names of the parties