

*UTAH MEDIATION SERVICES  
PUBLISHED RATE SCALE*

Mediation through a Utah Mediation Services professional mediator (“Mediator”) is provided according to its published rate scale. (A separate Fee Schedule applies to arbitration, under the Utah Mediation Services Code of Procedure for Arbitration.) Effective February 12, 2006, the rate scale for mediation services is as follows:

If income plus net worth are lower than:      Then the hourly rate is:

\$20,000	zero – no charge
\$30,000	\$50
\$40,000	\$75
\$50,000	\$100
\$60,000	\$125
\$70,000	\$150
\$80,000	\$175
\$90,000	\$200
\$100,000	\$225
\$110,000 or more	\$250

Expenses related directly to provision of Utah Mediation Services mediation, arbitration, neutral evaluation, and conciliation are charged in addition to the hourly rate for those services, as follows: 50 per page of photocopies, postage, long distance phone charges, travel at the rate of 50 cents per mile, per diem for overnight stays of \$200, facility rental costs if any, and all other requested extra materials, supplies, food, and similar services. Time for preparation of any document after closure of the proceeding is provided as a part of professional services at the published hourly rate. The hourly rate, expenses, or both may be waived or reduced in the discretion of the professional service provider for good cause.

Guidance on Administration of UMS Rate Scale. To clarify how rates plus expenses are normally charged under the rate scale, the following examples are offered:

Example 1: Simple Mediation. Two parties use a UMS professional mediator to resolve a dispute between them using the standard UMS Mediation Agreement without special payment terms. One party is retired, and he owns a house worth \$200,000 in his own name as an inheritance. The other party is also retired and owns only a small pension worth \$12,000, based on her life expectancy and monthly payments received. The mediation lasted three hours and the mediator required one hour to write a memorandum of understanding, which UMS sent by regular postal mail to each party within three days after the mediation ended. The rate plus expenses of \$500.37 for the first party is calculated this way: 4 hours times \$250 per hour, divided by two to calculate his half, for a total of \$500, plus 37 cents for postage as an expense. The rate of 37 cents for the second party is calculated this way: 4 hours times zero, divided by two to calculate her half, for a total of zero, plus 37 cents for postage as an expense. The mediator may elect to waive the postage for each party since it is such a minimal sum.

Example 2: Complex Organizational Conflict. Seven homeowners and a homeowner’s association (HOA) use a UMS professional mediator to resolve a dispute between them using the standard UMS Mediation Agreement with special payment provisions. The agreed hourly rate will be \$150. Each homeowner owns a luxury home worth \$1,750,000, fully paid for, in a plush, gated retirement community, and while their other investments and holdings vary, none is worth less than \$5,000,000. The homeowner’s association, a non-profit corporation, has a budget for miscellaneous expenses of \$32,000 from which it will pay for the mediation. It also owns a swimming pool, park, club house, golf course, and walking trails, with net worth of \$68,000,000. Each of the seven mediation sessions requires two hours plus an additional hour each to write up a pertinent memorandum of understanding, for a total of three hours per mediation. The mediation is held at the HOA club house, which is 300 miles distance from the mediator’s home office, and the HOA requires ten copies of the memorandum of agreement, each of which is five pages long, and the HOA agrees to pay for them. The mediator stays overnight two nights at a local hotel during the three days required to complete each mediation session. The seven memorandums of agreement are hand-delivered to the HOA, including a copy for each homeowner, before the mediator departs, as agreed. The rate plus expense for each homeowner of \$286.50 is calculated by taking the number of hours of service per case (3 hours) times \$150, and dividing that sum in half for each session for a total of \$225.00. The travel expense for each homeowner is 600 miles (mediator travel there and back) times 50 cents per mile, and dividing that sum by eight for each homeowner’s one-eighth, for a total of \$36.50. The per diem expense for each homeowner is the number of overnights, two, times the per diem rate, \$200, and dividing that sum by eight for a total of \$25.00. The HOA rate plus expenses of \$1661.50 is calculated by multiplying \$225.00 by seven for a total of \$1575.00 plus its share of mediator’s travel expense of \$36.50 and per diem of \$25.00 and copy costs \$25.00 (50 pages times 50 cents per page).