

STEPS

Introduction

Can I change the agreement once it's signed?

The other person isn't following the agreement. What do I do?

Conclusion

Introduction

Welcome to the Maryland court's video series on mediation. In this video, you will learn about two common issues that can occur after mediation. First, you will learn how to change an existing agreement. Second, we will discuss what to do if the other person doesn't follow the agreement.

Let's get started.

Can I change the agreement once it's signed?

In general, your mediated agreement is binding between you and the other party. If you want to change the terms, reach out and discuss this with the other party. Let them know what you want to do differently. You can return to mediation if you need help.

If you and the other party agree on changes, be sure to put them in writing and have both parties sign the document. If your agreement was made part of a court order, you may need to inform the court. Consult with a lawyer regarding what paperwork needs to be submitted.

If the other party does not agree to the changes you want to make, then you must follow the agreement as it is written OR seek advice from a lawyer about your options.

In certain cases, you can ask the court to modify the terms. This is most common in child custody cases where the agreement has been included as part of a court order. Consult with a lawyer to learn more.

Word Count: 650

Approximate Run Time: 4.64 Minutes

Let's talk about what to do if the other person doesn't follow the agreement.

The other person isn't following the agreement. What do I do?

When an agreement is not being followed, try to communicate with the other person.

Understanding their situation may help solve the problem. If the other person is willing, you can return to mediation.

Another step is to review your agreement document closely. Well written agreements state what happens if a person does not follow what you have in writing. You can then take actions based on what the document says should happen in this situation.

Lastly, in some circumstances you can ask the court to intervene. This may involve filing a new case or asking the court to reopen an old one. The court process can be complex. The exact steps you must take to get the court to enforce an agreement vary greatly. Consider speaking with a lawyer before you file anything with the court.

Several times in this video we suggested you speak with a lawyer. If you are not already represented by a lawyer, you can get free advice from the Maryland Court Self-Help Centers. You can speak to or chat live with lawyers at the Self-Help Center on most weekdays from 8:30 a.m. to 8 p.m. These lawyers cannot represent you in court, but they can give you brief advice. Call 410-260-1392. Or chat live at mdcourts.gov/selfhelp.

We also suggested you can return to mediation. If you need help finding a mediator, please see Video 2 in this series, "How do I find a mediator?" Or view the ADR Resource Guide. This can be found on the web at mdcourts.gov/macro/adr-resourceguide.

Let's review what you have learned.

Let's review

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In general, your mediated agreement is binding between you and the other person. This means that making changes will require the other party's consent. If the other person isn't following the agreement, try to work with them to figure out what went wrong. Sometimes you can seek to change or enforce the agreement through the court. Consulting with a lawyer is strongly advised before you file any paperwork with the court.

Thanks for watching. We hope this information about mediation has been helpful.