

WHAT IS MEDIATION?

Mediation provides structure and safety for challenging conversations. The mediation process is most effective when all Parties openly and honestly disclose any relevant information that might influence the mediation process. In many instances, mediation is a cost-effective alternative to engaging legal professionals.

WHAT IS THE MEDIATOR'S ROLE?

The mediator's role in the mediation process is pivotal. As a neutral facilitator, the mediator ensures that all interests are considered and guides them toward finding a mutually agreeable resolution to the issues while ensuring the fairness of the proceedings. Impartiality is a cornerstone of the process. The mediator's primary objective is to provide an environment where parties can express their perspectives, engage in problem-solving, and develop solutions that best address their needs and interests.

The mediator is not an attorney and will not provide any legal counsel or determine who is right or wrong. Each party involved in mediation agrees to approach the process respectfully and refrain from unnecessary interruptions or objections to resolve the issues. Furthermore, every party understands and acknowledges that participation in mediation is voluntary; therefore, any party has the right to withdraw from or temporarily suspend mediation at any time for any reason.

HOW TO PREPARE FOR YOUR MEDIATION

Come with an open mind and be prepared to receive new information about the conflict. Being receptive to new insights and perspectives will significantly enhance the likelihood of reaching a mutually agreeable solution.

Even in cases where you strongly disagree with their viewpoint, demonstrating a respectful and empathetic listening approach increases the chances of achieving a mutual agreement.

You will have numerous opportunities to respond to the other party's arguments and present your position and account of events.

Bring any supporting documents and photos that will be useful in presenting your position. It is important to note that mediation differs from a court trial, as both parties are responsible for presenting their respective cases.

To save time and money, thoroughly review all documentation the mediator provides before attending your session. The duration of mediation varies depending on the issues at hand and can range from an hour to 5 or 6 hours. Although most mediations are completed in one session, divorce, separation, and complex contract disputes may occasionally require multiple sessions.

MEDIATION FAQs

DO I NEED TO BE IN THE SAME ROOM AS THE OTHER PARTY?

No, it is not necessary. If you feel uncomfortable being in the same room as the opposing Party, your Mediator will alternate between two rooms and relay each Party's issues and positions.

CAN PARTIES ENGAGE IN MEDIATION IF THERE IS A PROTECTION ORDER IN PLACE?

Yes, they can. The Mediator will follow the same process mentioned above, alternating between rooms. Parties will be dismissed one at a time with a 15-minute gap between them.

ARE ALL MEDIATORS ATTORNEYS?

No, not all mediators are attorneys.

IS THE COST OF MEDIATION INCLUDED WITH COURT FEES?

Mediators work as independent contractors and do not receive payment directly from the courts.

WHO PAYS FOR MEDIATION?

Mediation fees are divided equally between both parties. The Fee for mediation is \$325 per party and includes two hours of mediation, emails, phone calls, and document preparation.

WHAT IF I CAN'T AFFORD MEDIATION?

Some mediators may offer a sliding scale for cases deemed needy. However, it is more probable that they will refer you to the Office of Dispute Resolution (ODR).