

## **What is Mediation?**

Mediation is a term used to refer to a creative problem-solving process in which an impartial third party helps disputants collaborate to achieve mutually acceptable agreements that satisfy the underlying needs and values of each party.

### **Guidelines of the Process**

Mediation is voluntary. The parties involved may withdraw from process at any time, and no one is forced to settle or agree.

Mediation is informal. It is not a court proceeding. We use "pre-mediation" meetings with each of the parties individually to ensure that everyone is prepared to engage in a constructive, honest and open way. Our pre-mediations bring comfort and security to the procedure.

Mediation is confidential. The parties and mediators agree to keep mediation sessions confidential. Depending on the situation, exceptions to confidentiality sometimes may be agreed upon in advance.

### **The Role of the Mediator**

The Mediator doesn't decide who is right or wrong. Instead, the parties are helped to reach their own agreements by creating constructive space for jointly examining underlying interests (needs, hopes, fears, concerns, and desires), generating relevant information, generating options, and making choices.

Mediators help create an atmosphere conducive to:

- Getting past anger, frustration, guilt, or desire to punish;
- Clarifying underlying needs and concerns;
- Creating solutions with relatively low cost (time and money) that are wiser and more durable than what otherwise could be expected from more directly adversarial processes.

### **What's Important**

It's important to remember that mediation is a voluntary process of cooperative problem solving in which a neutral third party, with special training and skills, helps individuals to work out mutually acceptable, agreements. Conflict is often difficult to deal with. Emotions, which often need to be expressed, can get in the way.

As a participant you need to come to mediation with an honest desire to reach a settlement that is fair to both and workable in practice. Participants in mediation must be prepared to be flexible in moving away from their initial positions to seek solutions which meet as many of their mutual interests as possible. When that happens dignity is preserved, relationships are recognized and magic happens.

Be a part of the magic.