

private
say your point of view
it works
affordable
it's quick
convenient
avoid lawsuits
reduce problems
find a solution
conflict resolution
training
good alternative
confidential
call today



Mediation:
Where
the winning
solution
is up
to you!

Resolving Disputes Without Going to Court

What is mediation?

Mediation is a process in which two or more people involved in a dispute meet in a private, confidential setting and with the help of a neutral person (a mediator), work out a solution to their problem.

A mediator is not a judge; he or she does not decide who is right or wrong. A mediator does not force anybody to reach an agreement they aren't comfortable with or to accept any particular settlement terms.

When you call a mediation center, you will speak with a worker who will take down some basic information and answer any questions you have about mediation. The center then contacts the other party to see if they would like to try mediation. If both parties agree, a mediation session is quickly scheduled.

During the mediation session, each party describes the dispute from their point of view. Then they explain how they think the matter can be resolved. The mediators help the parties focus on the real issues causing the problem, and then help find a workable solution which resolves the problem. When the parties agree on one solution, the agreement is put in writing.

Because mediators do not offer legal advice, you should know your legal rights before attending a mediation session. Of course, you are free to consult with or to obtain the services of an attorney to assist you. Attorneys can attend mediation sessions, too.

What kinds of problems can be worked out through mediation?

Many types of disputes can be resolved through mediation. Here are just a few examples:

- property damage
- neighborhood issues such as shared driveway, noise, or fence problems
- problems buying, selling or repairing something
- business and contract disputes
- landlord/tenant disputes
- family disputes involving siblings, relatives or parent/child such as contested wills or curfew agreements
- anything you would sue somebody for in small claims court
- and many other types of disputes as long as both sides agree to try mediation

Why try mediation?

- **The decision-making process belongs to you.** You decide how to best resolve your dispute; unlike court, no one judges your problem and tells you what to do. You get to reach an agreement that you can live with.
- **It works.** Thousands of cases have been successfully mediated to all parties' satisfaction. Mediation is a "win/win" rather than a "win/lose" solution. In court, someone wins, someone loses. The goal of mediation is to have all parties arrive at a mutually satisfactory agreement.
- **It's affordable.** The service is provided at low or no cost.
- **It's quick.** When parties agree to try mediation, most disputes can be resolved within two weeks! A typical mediation session lasts less than two hours.
- **It's effective.** About 80% of all mediations end in agreement. In fact, the likelihood of settling a dispute to both parties' satisfaction through mediation is much higher than in small claims court.
- **It's convenient.** You can mediate on weekdays, Saturdays and evenings to accommodate your schedule.
- **It's private.** Everything said or used for purposes of reaching a settlement remains confidential and cannot be used in a lawsuit.

- **It avoids going to court.** Mediation is not combative or adversarial like court can be; it helps protect and enhance relationships between people by providing a comfortable and safe setting for discussion.
- **Mediation** can help reduce the likelihood that the problem will occur again. In fact, you can even agree that if a problem occurs again, everyone will go back to mediation.

Can I try mediation if I have already filed a case in court?

Yes! Many judges throughout the state strongly encourage parties to try to resolve problems on their own. If you resolve the problem before your court date, you do not have to have a hearing or trial in court, although you may have to file a form indicating that you have resolved the case. In many cases, mediation may save your having to take time off from work to go to court, and helps you avoid the confrontational court setting where parties present evidence against each other. You also avoid the possibility of entirely losing your case. If you try mediation but do not come to an agreement, you can still go to court.



Additional Services Available

Many centers offer conflict resolution workshops, mediator training, student peer mediation training, resolution of disputes between victims and offenders in criminal cases, and resolution of claims arising under the Americans with Disabilities Act. Centers may also be able to design conflict management training for local businesses and government to help prevent litigation over disputes which naturally occur in the workplace. Centers also act as clearinghouses for conflict resolution resources. Because services may vary from center to center, please feel free to contact your local center to see what services are available.

The legislature created the Community Dispute Resolution Program in 1988 to offer Michigan citizens an alternative to suing people over many disputes that naturally occur in our society. In short, the legislature determined that

in many cases, the people have a dispute are in a better position than judges to resolve their own problems.

The many thousands of cases successfully mediated so far demonstrate that in many instances, mediation is a good alternative to filing a lawsuit.



To reach the Community Dispute Resolution Center nearest you, call:



1-800-8-RESOLVE
(1-800-873-7658)

<http://www.courts.michigan.gov/scao/disptute>

Community Dispute Resolution Program centers provide private and confidential mediation services in appropriate cases on a non-discriminatory basis to all citizens regardless of race, color, gender, religion, national origin, citizenship, age, sexual orientation, marital status, parental status, political affiliation, disability, or ability to pay.