

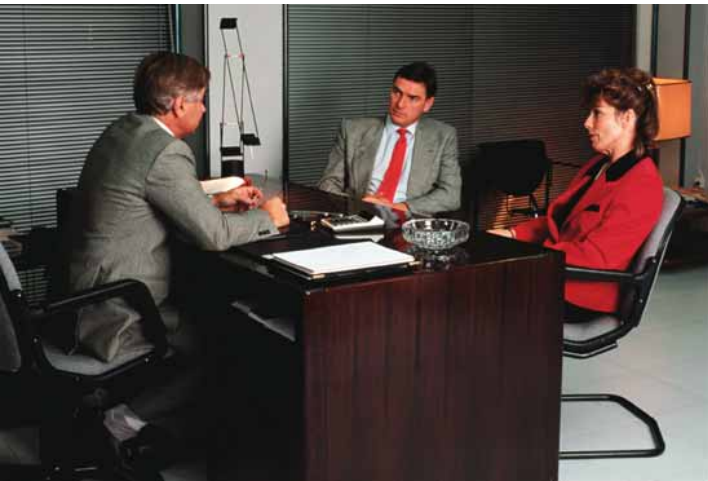
# INFORMATION REGARDING MEDIATION

## What is Mediation?



## MEDIATION IS FOR:

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Separation & Divorce

Business Disputes

Employment Disputes

Healthcare Issues

Governmental & Environmental Issues

Congregational Disputes

Other Disputes

## WHAT IS MEDIATION AND HOW DOES IT WORK?

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Mediation is a way of helping people resolve conflict. It is voluntary, confidential and non-adversarial. It is not a court proceeding and does not compromise your legal rights.

Mediation is a structured process in which an impartial, professionally trained person, called a mediator, meets with the parties involved in a disagreement and assists them in reaching a solution that is mutually acceptable. In mediation, decision making authority rests entirely with the parties. The process encourages the parties to discuss difficult situations and explore creative options.

Most mediations begin with a joint meeting of all the parties and their representatives. During this session the mediator makes introductions, reviews the mediation process, discusses ground rules and gives each side an opportunity to describe the dispute. Following this opening session, the mediator may choose to split the parties into separate groups and meet with each side privately. These private sessions are often referred to as caucuses.

The objective of mediation is to help the disputing parties reach a mutually acceptable agreement. The mediator assists the parties in identifying issues and fostering joint problem-solving. The mediator, then, is the facilitator, the person who helps disputing parties come to understanding and agreement.



## BENEFITS OF MEDIATION

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- Preserves confidentiality
- Promotes communication and cooperation
- Saves time and money
- Empowers parties to make their own decisions
- Promotes exploration of new options
- Preserves relationships
- Reduces hostilities

## MEDIATION FOR SEPARATION & DIVORCE

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The goal of mediation is a settlement that you, the separating couple, achieve, that considers the interests of all family members and will be lasting, because you are responsible for it.

In mediation you and your spouse work together with a professional mediator to reach agreement on:



- how and when to separate
- parenting plans
- child and spousal support
- division of property
- other important issues

With the help of the mediator, all options available to you and relevant to your situation, will be discussed in a respectful and open way. Through mediation, couples are encouraged to separate their spousal role which is ending, from their parental role, which is continuing. Clients learn how to assess their present financial situation and how to provide for their future needs.

### *The benefits of mediation for Separation & Divorce . . .*



- promotes communication and cooperation
- allows you to control the decisions that affect your life
- is typically less costly than litigation
- is confidential, avoiding public disclosure of personal problems

## MEDIATION FOR BUSINESS DISPUTES

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Civil matters appropriate for mediation include real estate, personal injury, property damage, contract issues, employment matters and health care issues.

Businesses are increasingly turning to mediation to assist in employer/employee disagreements, to negotiate contract disputes and to help resolve interpersonal disputes that affect the productivity of the atmosphere in the work place.

### *The benefits of mediation for Business . . .*

- promotes communication and cooperation
- allows you to control the decisions that affect your life
- is typically less costly than litigation
- is confidential, avoiding public disclosure of personal problems

## MEDIATION FOR EMPLOYMENT DISPUTES

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Mediation is valuable not only as a method for resolving disputes . . . it also can transform relationships. When relationships are ongoing (for example, when there is a dispute between a worker and a supervisor), this can be a major benefit of the mediation process.

### *The benefits of mediation for Employment Disputes . . .*

- promotes communication and cooperation
- allows you to control the decisions that affect your life
- is typically less costly than litigation
- is confidential, avoiding public disclosure of personal problems

## MEDIATION FOR HEALTH CARE ISSUES

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Healthcare industries and healthcare providers have been subject to vast changes in recent years. These changes are continuing and perhaps even accelerating. This sometimes leads to significant conflict. There are many areas of healthcare disputes for which mediators may be helpful, including malpractice claims, HMO issues, merging medical groups, hospital/physician conflicts and hospital/physician and patient conflicts.

### *The benefits of mediation for Health Care . . .*

- promotes communication and cooperation
- allows you to control the decisions that affect your life
- is typically less costly than litigation
- is confidential, avoiding public disclosure of personal problems

## MEDIATION FOR GOVERNMENTAL & ENVIRONMENTAL ISSUES

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Conflicts in this area are often complex, with multiple parties and interests. Sometimes just identifying all the eventual parties and gathering them together face to face is a big part of resolving the conflict.

### *The benefits of mediation Governmental & Environmental . . .*

- promotes communication and cooperation
- allows you to control the decisions that affect your life
- is typically less costly than litigation
- is confidential, avoiding public disclosure of personal problems



## CONGREGATIONAL DISPUTES

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Churches and religious institutions are managed by people. Often persons in positions of leadership and responsibility possess strong beliefs deeply rooted in faith, tradition and experience. This creates a ripe environment for potential conflict. Mediation is a positive way of honoring persons religious foundations while resolving disputes among sincere people.

### *The benefits of mediation for Congregational Disputes . . .*

- promotes communication and cooperation
- allows you to control the decisions that affect your life
- is typically less costly than litigation
- is confidential, avoiding public disclosure of personal problems

## OTHER DISPUTES

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Almost any type of dispute can benefit from mediation. Among the areas in which mediation has been used to successfully resolve conflict are disputes in almost every area, including: business and commercial transactions, community and neighbor association conflicts, creditor/debtor relations, discrimination and sexual harassment claims, legal disputes, marital and domestic issues, real estate claims and health care issues.

### *The benefits of mediation for Other Disputes . . .*

- promotes communication and cooperation
- allows you to control the decisions that affect your life
- is typically less costly than litigation
- is confidential, avoiding public disclosure of personal problems



INDIANA ASSOCIATION OF MEDIATORS