



Mediation can help you resolve your dispute without going to trial.

This court encourages parties to try to reach a resolution of their dispute without a trial, either on their own, or through mediation. Mediation helps parties find solutions to their conflict and can be effective in general civil, probate, or domestic relations/family conflicts.

What is mediation?

Mediation allows people to meet in a private setting where a neutral person (a mediator), helps them work out a solution to their problems.

The mediator is not a judge, and does not decide who is "right." The parties themselves make the choices that lead to a mutually satisfactory settlement.

How does it work?

Each party describes the dispute from his or her own point of view and offers possible solutions. The mediator helps the parties to focus on the real issues causing the problem, and then helps them to find a workable solution. When the parties arrive at an agreement, the agreement is put in writing.

How do I begin the process?

If you have an attorney, ask him or her about mediating your case. Your attorney can help you select a mediator, or you may contact a mediator or dispute resolution center directly (please see the box in the middle of this page). If the other party also agrees to try mediation, either the mediator or the dispute resolution center will schedule a mediation session.

Are there cases that should not be mediated?

While many problems can be resolved in mediation, you can discuss with your attorney or a mediator whether or not the issues in your case can be mediated. Cases involving on-going domestic violence should almost never be mediated.

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What if parties don't speak English?

In many instances, bilingual mediators, translators or signers can be identified in cases where language presents a barrier to communication.

How to find a mediator

A list of mediators who meet training qualifications established by the State Court Administrative Office can be obtained from the court. To obtain a copy of the list, please call the court and ask for the list of qualified mediators.

The Michigan Supreme Court supports a network of Community Dispute Resolution Program centers. These centers provide low cost mediation services in many types of disputes. To reach the center nearest you, call 1-800-8RESOLVE.

Additional information about mediation can be found at the Michigan Supreme Court website:

<http://courts.michigan.gov/scao/dispute>

How does mediation affect my legal rights?

Whether or not you reach an agreement in mediation, your legal rights remain intact. You should know your legal rights before attending mediation. Mediators do not offer legal advice, represent parties, or testify at any subsequent hearings that may result if you do not resolve your case in mediation. You are always free to retain the services of an attorney to assist you.

Why try mediation?

- ✓ **It works.** About 65% of all mediations end in agreement, even when other attempts to settle have failed.
- ✓ **It's affordable.** Parties generally agree to split the cost of a mediator. Low cost mediation is available through the Community Dispute Resolution Program, and if you cannot afford a mediator, you may qualify for free mediation services. Cases mediated early may avoid additional litigation costs.
- ✓ **It's quick.** If conducted early, mediation may result in settlement far quicker than waiting until near trial to settle.
- ✓ **It's private.** Almost everything disclosed during mediation is confidential and cannot be used in a lawsuit.
- ✓ **It's cooperative, not adversarial.** Mediation provides a comfortable, safe and respectful setting for discussion. It is not combative as court cases can become.
- ✓ **There's nothing lost by trying!**

