



Mediation

Solutions
Satisfaction
Success

Mediation. It Works!

ABOUT MEDIATION

Mediation is an informal, private process to help parties discuss, define, and resolve their dispute. The parties control the result of their mediation, using a mediator--an impartial person--to guide the process. The mediator does not make decisions for the parties.

ABOUT THE MEDIATION PROCESS

Generally:

- At the start of mediation, the mediator meets with all parties, explains the goals of the mediation and asks the parties to agree on ground rules, keeping private what occurs in the mediation.
- The parties briefly summarize the dispute.
- The mediator meets with the parties privately to better understand their viewpoints.
- The mediator helps the parties identify their interests and think about solutions
- If the parties agree on a solution, the agreement is put into writing and signed by the parties.

ADVANTAGES OF MEDIATION:

Solutions

Satisfaction

Success

- **More Control Over The Outcome.** When a judge decides a court case, usually one party wins and one party loses. Mediation steps away from the win/lose model, allows for a wider discussion of the issues, and searches for solutions that everyone can accept.
- **Private.** Courts are generally open to the public. Mediation is a private process.
- **Faster.** You can usually schedule a mediation session sooner than you can an appearance in court.
- **Informal.** Rules of evidence and other requirements of a court proceeding do not apply.
- **Maintains Relationships.** Parties may need to have regular contact after their dispute is resolved (family and business matters, for example). To avoid future disputes, mediated agreements often include provisions for how the parties will interact with one another after mediation. Sometimes, the parties agree to return to mediation if another dispute arises.



ABOUT MEDIATORS

Mediators come from many different backgrounds, with different training and experience. If you want a specific mediator, or a mediator with a specific area of expertise, you may prefer to hire a private mediator. Private mediators may advertise a specialty or a professional reputation for specializing in the mediation of certain types of disputes.

Many disputes are successfully settled at community mediation centers. These include disputes involving neighbors, business partners, merchants, consumers, divorcing couples, work colleagues, and many others. Judges often refer cases that are already in court to community mediation centers.

Private mediators should provide information regarding their training, experience, and fees. Community mediation centers provide training for their mediators. Fees for private mediators are generally higher than fees charged by community mediation centers. For a more detailed guide to selecting a mediator, please see our booklet, *Selecting a Mediator*.



COMMUNITY MEDIATION CENTERS

Hawai'i

Ku'ikahi Mediation Center
101 Aupuni Street, Suite PH 1014 B-2
Hilo, Hawai'i 96720
Telephone: (808) 935-7844
Fax: (808) 961-9727
www.hawaiiemediation.org

West Hawai'i Mediation Center
P.O. Box 7020
Kamuela, Hawai'i 96743
Telephone: (808) 885-5525
Fax: (808) 887-0525
www.whmediation.org

Kaua'i

Kaua'i Economic Opportunity, Inc.
Mediation Program
2804 Wehe Road
Līhu'e, Hawai'i 96766
Telephone: (808) 245-4077
Fax: (808) 245-7476
www.keoinc.org

Maui County

Maui Mediation Services
95 Mahalani Street, Suite 25
Wailuku, Hawai'i 96793
Telephone: (808) 244-5744
Fax: (808) 249-0905
www.mauimmediation.org

O'ahu

The Mediation Center of the Pacific
245 North Kukui Street, Suite 206
Honolulu, Hawai'i 96817
Telephone: (808) 521-6767
Fax: (808) 538-1454
www.mediatehawaii.org

HOW TO PREPARE FOR MEDIATION

Effective mediation requires two-way communication. This means:

- Honestly expressing your needs
- Listening to what the other party needs

The keys to a successful mediation are:

- Preparation
- Cooperation
- Flexibility

We suggest the following approaches to help reach an agreement:

- Approach mediation with a positive attitude
- Be open to new ideas and suggestions
- Seek agreement, not blame or revenge
- Look to the future, not to the past
- Express yourself and listen carefully to what others say
- Bring all relevant documents
- Be realistic about whether or not you can live up to proposals that you make



Prepared by:

Center for Alternative Dispute Resolution

Hawai'i State Judiciary

417 South King Street, Room 207

Honolulu, Hawai'i 96813

Phone: (808) 539-4ADR (4237)

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