

Mediation: An Alternative To Court



Mediation. It Works!

**Presented by
The Hawaii State Judiciary
Center for Alternative Dispute Resolution
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Program Summary

This 18-minute educational video illustrates the basic steps involved in mediation, a form of alternative dispute resolution. Mediation can be an effective means of resolving a variety of conflicts, ranging from neighbor and divorce disputes to consumer and workplace disputes. In Hawaii there are community mediation centers on Hawaii, Kauai, Maui, and Oahu. (See back page.) There are also numerous court and school-based mediation programs.

Mediation: An Alternative To Court features four disputes and illustrates how each one might progress through mediation. The four scenarios are:

Divorce/Family Dispute - Tina and Bill need to work out issues surrounding their divorce, including custody of their children.

Workplace Dispute - John and Dave are friends and co-workers trying to resolve conflicts that arose when John was promoted to supervisor.

Youth/Student Dispute - Lani and Sara are high school friends trying to get to the bottom of a misunderstanding that is affecting their friendship.

Neighbor Dispute - Brad and Dan want to find a way to fix the damaged fence between their homes, and to restore their neighborly relationship.

The video is not designed to teach viewers how to become mediators. Instead, it is intended to illustrate how common, yet complex conflicts can be resolved without going to court.



Questions to Consider

Review the questions below prior to watching the video. Afterwards, share or consider your answers to these questions.

- Q. If mediation had not been used, what do you think the outcomes would have been for:
- ▶ The divorcing couple and their children?
 - ▶ The employee and supervisor who were once friends?
 - ▶ The two high school friends?
 - ▶ The neighbors and their families?
- Q. What do you think the advantages and disadvantages are of using mediation to resolve disputes?
- Q. What kinds of skills did you see the mediators using?
- Q. How did the disputants respond to the mediators?
- Q. What are the differences between mediation and court?

Key Points About Mediation

- Mediation is a way to resolve disputes, and can work for people of different ages and backgrounds.
- Mediators are neutral throughout mediation. They don't take sides or make decisions for participants.
- The mediator guides and focuses discussions, draw out facts and helps participants arrive at workable solutions.
- Mediation gives participants the opportunity to develop solutions that work for them, rather than relying on an outsider to make a judgment.
- Mediation can save money and time, and can also preserve relationships.

Community Mediation Centers

Community mediation centers provide volunteer mediators statewide for thousands of cases, including those referred by the courts, and other administrative, law enforcement, or justice system departments and agencies. Call a center on your island, or in your county, for more information.



Kauai

Kauai Economic Opportunity, Inc. Mediation Program

2804 Wehe Road
Lihue, Hawaii 96766
Telephone: (808) 245-4077
www.keoinc.org



Hawaii Island

Kuikahi Mediation Center

101 Aupuni Street, Suite 1014B2
Hilo, Hawaii 96720
Telephone: (808) 935-7844
www.kmchilo.com



West Hawaii Mediation Center

P.O. Box 7020
Kamuela, Hawaii 96743
Telephone: (808) 885-5525
www.whmediationcenter.org



Maui County

Mediation Services of Maui

95 Mahalani Street
Wailuku, Hawaii 96793
Telephone: (808) 244-5744
www.mauimmediation.org



Oahu

The Mediation Center of the Pacific

245 Kukui Street, Suite 206
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