

SEVEN BENEFITS OF CIVIL MEDIATION

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WELCOME



I appreciate your interest in my mediation services. I look forward to combining my legal and mediator experience to help you successfully resolve your dispute. Mediation can help all parties avoid costly litigation. It also helps come up with a solution that is more satisfying to everyone.

I have over 35 years of experience as a litigator in Michigan. I have focused on business disputes, estate planning and probate and real estate. I am an active member of the Probate and Estate Planning Section, and the Real Property Law Section of the State Bar of Michigan, a member of the Macomb County Probate Bar Association and the Wayne County Probate Bar Association. I have obtained the Institute of Continuing Legal Education's Certificate of Completion for Probate and Estate Planning. I am a life-long resident of the Detroit area. I have completed multiple mediation classes including advanced mediation seminars. I have completed all the qualifications necessary to qualify as a general civil mediator for the Michigan Court System. I am an approved mediator for the Wayne County Probate Court and the Macomb County Probate Court. Let me put my experience to good work in your dispute to facilitate a lasting settlement.

My goal as a mediator is to provide neutral and objective guidance in helping the parties involved in your legal dispute to come up with a solution that works for all. Through mediation, the settlements reached are more likely to be maintained and followed because the parties are actively involved in the process.

Mediation involves a real effort on behalf of everyone participating. The rewards can be enormous when a settlement is reached. You can maintain the relationship of all the parties involved. You can save time and money. And most importantly, you can come up with a satisfactory solution and then move on. Litigation is extremely stressful and miserable for the parties. Please contact me to discuss how mediation could help with your dispute.

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Mediation presents advantages over going to court in virtually all types of civil cases. The real savings is in cost and time. The result is lower legal fees and less time spent by litigants dealing with the case. If mediation is sought before a case is brought to court, privacy of all of the parties can be maintained. There are also many emotional advantages as well, including the maintenance of business or personal relationships. There is the opportunity for everyone to be heard in a less emotionally charged atmosphere. This leads to a better chance that the agreement that the parties reach will be adhered to. Everyone involved will have an active part in coming up with the solution. All parties will have a real interest in keeping the settlement agreement alive.

1. COST SAVINGS



Mediation can help you save on many different types of costs related to your dispute. You will be able to reach a settlement quicker because it takes only a few weeks or months, rather than years. This means that you may free up time and distraction that may divert you from other profitable activities. Managers and employees can focus on their work instead of frustrating litigation. When it comes to cases involving businesses, you will not have to require members of your management team or other employees to meet with attorneys, attend

depositions, copy endless reams of documents, or sit in courtroom hallways for endless hearings. The biggest savings often comes in the form of legal fees. Since the dispute gets resolved more quickly, you don't have to pay nearly as much for billable hours. Lawyers charge for sitting in courtroom hallways.

2. TIME SAVINGS

Mediation can settle your case in much less time than it would normally take to work it through the court system. In litigation, a case generally takes several years because of the number of court appearances, hearings and depositions. You may also have to endure months of discovery. If one party does not like the outcome, they can appeal. Then the case drags on for several more years. With mediation, there is a possibility that the parties can meet before court proceedings are commenced. It may mean the dispute could be resolved in weeks or months instead of years.



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3. PRIVACY



Once a case is filed, it becomes a matter of public record. Sometimes embarrassing details are made public. Most legal proceedings are available for review on the court websites. If you are in a probate action, things that were personal between you and your family members will become public fodder for gossip. If the litigation involves a business contract dispute, or an employment dispute, the public perception of your business may suffer when the details become

public information. Often, the press picks it up. If mediation is done before the case is filed, an agreement can be reached wherein the parties agree not to talk about the details of the case.

4. PRESERVES RELATIONSHIPS

In nearly all types of civil litigation, whether it is a dispute between heirs or a dispute between businesses, there is a real interest in making sure an amicable relationship between the parties is maintained. In the case of family disputes, they will greatly benefit from having a cordial relationship remain. In the case of businesses, it is possible that there are no other alternative companies to do business with. Everyone will be at an advantage if the business relationship is maintained.



5. ALL SIDES GET TO BE HEARD

In many civil disputes, there is a power imbalance between the parties. When an experienced mediator is used, all parties will be able to make their side of the case heard. Each party will be able to help the other side see the dispute from their perspective. When all issues are thoroughly discussed, the chances of having a settlement that works for everyone is greater. Cases often settle where one party simply misunderstood the other party's position.



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6. LESS EMOTIONALLY CHARGED ATMOSPHERE

Mediation provides a safe place for all of the parties involved to discuss every issue with the guidance of a mediator. All sides of the conflict are able to get their point across. The inherent stress involved in litigation proceedings can be avoided. This is especially helpful in probate cases, where the subject matter is very emotional for all parties. Charged emotions can lead to the parties being less likely to come up with an agreement. Mediation helps take the adversarial nature of court out of the process. The parties can come to a better resolution without all the drama.



7. MORE SATISFACTORY RESOLUTION

When a case is tried by the court, and a verdict is rendered, there will be a winner and a loser. Most likely, one or even both parties will not be happy with the outcome. Then there is the prospect of the judgment being appealed or refusal of a party to follow the court's orders without additional litigation. When the parties mediate, they are coming to an agreement together. Both sides can make sure the important issues are addressed, leading to a better chance of a lasting settlement.



If you would like to consult who mediation can help you resolve your dispute, please contact **Bruce R. Nichols**.

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