

5 Benefits to Using Civil Mediation when Involved in a Dispute



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WELCOME

Thank you for considering me to mediate your case. I look forward to helping you find a solution to this issue.

Every case is unique. You have your part of the facts and your side of the story, and you will need to come prepared to hear the other side out. Once you do that, and they listen to your side, creative solutions will appear. They always do.

My job is to work with all of the parties to find a resolution. Every individual case is unique, and while not all cases can be settled on the first try, eventually, almost all cases can be resolved by mediation.

Mediation can sometimes be harder work than taking a case to trial; however, the rewards can be much greater, and the results can last much longer.

I look forward to assisting you with reaching a resolution in your matter. If you have any questions, please feel free to call or send me an email.

Best regards

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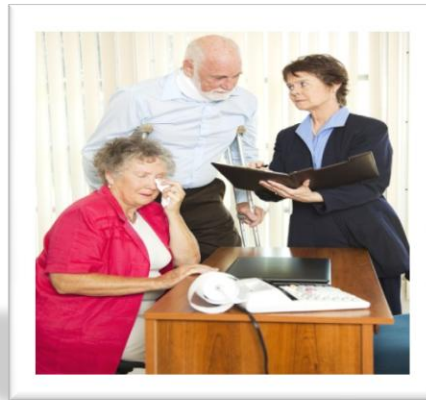


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Civil mediation is used to settle legal issues related to civil disputes. It brings disputing parties together with the support of a neutral third-party mediator trained to assist with discussing an issue. Mediators meet with parties individually and in a group in an effort to explore the various solutions and consider the pros and cons of each. The goal is to get disputing parties talking about an issue and considering creative solutions that would not be possible if the dispute were settled in a courtroom.

Many different types of disputes are suited for mediation. Families often choose family mediation to settle issues related to divorce, custody, or estates, but this process is different than civil mediation. Civil mediation can be extremely successful for dealing with legal issues related to business or personal matters, including:

- Contracts
- Personal injury
- Workers' compensation
- Medical malpractice
- Business
- Intellectual property
- Real estate and construction



In some cases, parties are required by the court system to attempt mediation before moving forward with litigation. The process helps to avoid backlog in the court system and because it is possible to settle many of the issues outside of the courtroom, the legal system mandates disputing parties

give it a try.

Even if civil mediation is not required, parties can choose the process to help them settle disputes quickly and efficiently. There are even instances in which parties entering into a relationship agree to have any disputes that might arise in the future mediated.

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There are a number of benefits that come from using mediation to settle a legal dispute, including?

1

Financial Savings



Because mediation takes less time and requires less work from parties involved, especially legal representation, it costs less. It is even possible to settle an issue with mediation without hiring personal legal representation. In some cases, the only fees disputing parties will pay are to the mediator. This is not only beneficial to individuals unable to afford expensive legal fees it also helps businesses preserve their bottom line when involved in disputes.

2

Simplify a Complex Process

Civil mediation is often used to settle disputes related to complex issues. When disputes arise in the business world or are related to medical issues, it can take a lot of time and effort to explain the details of the case to the judge and jury overseeing the case. In mediation, disputing parties have the option of hiring a mediator and other support professionals that already have an understanding of the issue.

Many professionals who are experts in their fields practice mediation later in their careers. They bring their keen understanding of issues to disputes, so the focus can immediately move to solving the problem, instead of wasting hours, days, or weeks providing the information needed for decision-makers to understand the dispute.

3

Non-Adversarial

The focus in the civil mediation process is on communication. Parties are encouraged to share their feelings and concerns about an issue and those feelings and concerns are used to design the ideal solution. Nobody is pitted against anyone as the enemy. The sense of win-loss that is the basis of litigation is removed when parties settle a dispute through mediation.



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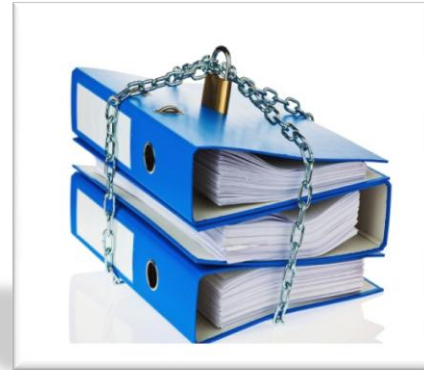
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In addition to making the problem-solving process easier, it also makes it easier to continue a relationship after the dispute is settled. This is especially important when business professionals want to preserve a mutually beneficial relationship with an associate.

4

Confidential

Another of the most important benefits of civil mediation is its confidentiality. The process is private and often, the only detail that ever becomes a matter of public record is the resolution. When disputes include discussion about proprietary information and other sensitive issues, confidentiality is essential.



5

Control

Perhaps the most important benefit of civil mediation is the control it places into the hands of those most affected by the issue. When a dispute is settled in the courtroom, parties are at the mercy of the judge or jury. Complete strangers are making decisions about some of the most important issues in a person's life or business. These people have little understanding of the issue beforehand and they might never give the dispute another thought once the trial is over.

In mediation, complete control of the resolution is under the control of those who must live with the outcome. Those involved are responsible for designing and agreeing to the solution, increasing the odds both sides will abide by whatever the resolution might be. Civil mediation makes it possible to settle a dispute in a way that allows both parties to walk away from the table satisfied with the result.

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*Are you dealing with a legal dispute that seems impossible to settle without a contentious court battle? Do you wish there were a faster, less expensive, and less stressful option? Mediation is the answer. Civil mediation makes it possible to settle even the most contentious legal dispute quickly and efficiently. Finding an experienced mediator is an essential component of a successful mediation. **Michael Smith** can help.*

*Michael has more than 30 years of litigation experience. This includes work with business, real estate, employment, and insurance cases. He has seen how the contentious spirit of litigation process can actually create more damage in the long run. He knows that mediation is often the better option and wants to help clients find not just any resolution to a problem, but the best resolution possible. To schedule a consultation or discuss your legal dispute, contact Michael at **559.229.3900** or by email at mjfsmith@mjfsmith.com.*

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