

Ideas Café

Table 13

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How to increase the odds of reaching agreement in mediation

Provide clear written information to parties on how to get the best out of the process.

Ensure that parties understand the mediation process, through direct contact with them prior to the date of mediation.

Before mediation, encourage the parties to:

- 1. Accurately describe the problem**
- 2. Attempt to resolve the matter with the other party before coming to mediation**
- 3. Exchange substantive information**
- 4. Provide information to the mediator**

Encourage parties to attend mediation with:

- 1. Decision-makers present**
- 2. A good knowledge of the facts**
- 3. Realistic expectations**
- 4. An understanding of the purpose of mediation**
- 5. Sufficient time set aside to allow the process to run its course**

At mediation:

- 1. Reiterate the process**
- 2. Encourage direct participation of parties**
- 3. Encourage parties to be resolution focused**
- 4. Actively assist the parties to assess interests**
- 5. Encourage the parties to have faith in the process, and persist with it**