SOLVING DISPUTES THROUGH MEDIATION

Mediation is not a legal process, but the parties are still searching for a winnable, mutually agreed-upon resolution. Meditation is not a zero-sum game. There is not a winner or a loser, but it is hoped that the parties will reach a shared settlement.

When participating in a mediation, what are the most important things to remember? First, the goal of time together is to find a final resolution. Second, only bring those documents you want to show the other parties to make sure there is a mutual understanding. The parties are thoroughly familiar with the situation; only documents that can clarify a point of misunderstanding are of value. Third, understand that mediation is an opportunity to timely and effectively reach both your own and the other parties resolution to a dispute rather than have one imposed by a court.

When considering mediation, it is important to think in terms of saving time and energy and avoiding an ongoing ulcer. The parties have a family that needs attention, a business to run or career to advance. Mediations can be held a few weeks from the original request so timely resolution can be had. In contrast, attorneys who serve in Franklin County know how long it takes for a case to come to court.

Remember that mediators are there to provide support to the parties and that attorneys may be there to provide legal advice as necessary, but as much as possible the parties should be sharing their own perspective and talking about how they see things. Thoughtful mediation gives power to the parties to come to an enduring solution.

Edward M. Krauss is an associate member of the CBA, a mediator with twenty-one years, over three thousand hours of at-the-table. He specializes in financial, economic development and personnel/employment dispute resolution.

EDUCATION & EVENTS

Wednesday, Oct. 17 • 1:30 – 4:45 p.m.
2018 Eastman & Smith Employment Law Update
3.0 CLE Hours

Wednesday, Oct. 17 • 5 – 7 p.m.
Committees & Cocktails
This event is free for Columbus Bar members

Thursday, Oct. 18 • 9 a.m. – 4:15 p.m.
Practice Management: Certified Lean
6.0 CLE Hours (50% savings on CLE pricing!)

Wednesday, Oct. 24 • 12 – 1:30 p.m.
My Story: A Wellness Journey
1.5 Prof. Conduct CLE Hours

Thursday, Oct. 25 • 3:30 – 5 p.m.
Immigration Law 101
1.5 CLE/MLT Hours

Thursday, Oct. 25 • 5 – 7 p.m.
2018 Pro Bono Reception
Join us to honor the winners of the 2018 Pro Bono Awards

All classes listed are offered at the Columbus Bar Associations offices, 175 S. Third St. Ste. 1100. To register, call 614-221-4112 or enroll online at www.cbalaw.org.