

The Six Stages of Mediation

Stage 1

- Understand the Mediation Process
- Clients make an informed decision to mediate. (Agreement to Mediate)

Stage 2

- Present Viewpoints
Clients listen to each other to identify issues of interest and concern.

Stage 3

- Define Problem Statement
Clients agree on a neutral problem statement based on common interests.

Stage 4

- Identify Possible Solutions
Clients identify possible solutions to the problem.

Stage 5

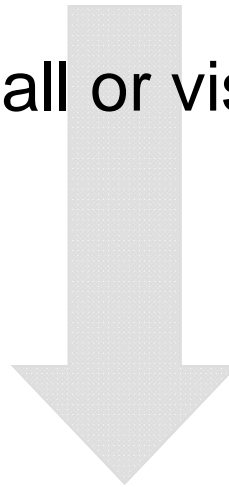
- Evaluate the Alternative Solutions
Clients evaluate together each possible solution developed in Stage 4.

Stage 6

- Complete the Mediation.
When clients reach acceptable agreement mediators write formal agreement and review it with clients. Clients and mediators sign agreement.

If you would like more information on Mediation and Alternative Dispute Resolution...

Call or visit:



**City of Lawrence, Kansas
Legal Department,
Human Relations Division
and
Human Relations Commission**

947 New Hampshire
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Mediation Services



In mediation . . . everyone wins!

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8:00 a.m. to 5:00 p.m.
Monday—Friday



City of Lawrence

Mediation Services

All of the Human Relations Division staff members are Kansas Supreme Court Approved Mediators in the areas of Core and Civil Mediation. They each have specialized training in mediation techniques. We adhere to standards for mediator training requirements in addition to a standard of practice and ethics as set by the State of Kansas Supreme Court.

Our highly trained and dedicated staff is committed to assisting individuals, agencies, businesses, and organizations reach solutions that meet their goals, through a fair, open, informed, confidential, and honest process.

What is Mediation?

Mediation is an alternative method of resolving complaints, seeking to arrive at a solution through an agreement between the parties, rather than through an investigation or litigation.

Mediation is a fair and efficient process under which an impartial person, the mediator, guides communication between people involved in dispute, to promote reconciliation, settlement, or understanding among them. The mediator assists the parties in reaching a voluntary, negotiated, written agreement.

When a complaint is received in our office, the parties involved may be offered mediation. The decision to mediate is completely voluntary for both parties.

What are the Benefits of Mediation?

Typically, the mediation process allows for a much quicker resolution of a dispute than investigation or litigation. Also, mediation is less expensive than litigation and less time-consuming than the formal complaint investigation process. But perhaps most importantly, mediation provides a mechanism for resolving disputes that does not destroy the relationship between disputing parties. The mediation process encourages the participation of the disputing parties in the

negotiation process. This is important since the parties are in a position to directly communicate their needs from a settlement.

Also, the mediator may be able to assist the parties in crafting compromises because information can be furnished in confidence to the mediator by both sides. This allows the disputing parties to reveal to the mediator reasons that a particular offer is not acceptable along with potential ranges for settlement.

Agreements reached in mediation typically have a very high rate of compliance. This is because the disputing parties actually participate in the development of the settlement agreement.

What Happens During Mediation?

During mediation, both sides will be able to exchange information and express their interests and objectives, as well as possible solutions that they believe would be fair, equitable and mutually beneficial.

What is the Role of the Mediator?

The mediator's role is to guide the process of mediation in order to assist the parties in resolving their conflict. As such, the mediator is a neutral party and does not take sides. The mediator does not settle the conflict for the parties, but may make suggestions as to options for the parties to consider.

Confidentiality

The mediation process allows the parties to speak openly about the issues in a confidential manner. Kansas law provides, with some limitations, that mediations are confidential and privileged.

Mediation is Private

Mediation will be conducted in private, and will be directly between the parties concerned, with the support of the Mediator, who will act as an impartial facilitator. Either party may withdraw from the process at any time by notifying the Mediator that they wish to do so.

Mediation Agreement

If the mediation process results in an agreement acceptable to both parties, the Mediator will draw up a written mediation agreement of the terms for signature by the parties. Once signed, this agreement is legally binding on both parties.

When Mediation Fails

If no agreement is reached, the mediator will not impose a decision on either party and your rights to file a formal complaint, or to litigation, remain intact.

How Can I Prepare For Mediation?

Successful mediation depends on the parties' willingness to negotiate in good faith and work out a solution. Before beginning the mediation, it is good to know what your interests are and to think about possible mutually satisfactory solutions.

How Can I Pursue Mediation?

You can contact the:
Human Relations Division
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