

# How to Participate in Mediation

Mediation is one type of alternative dispute resolution, also known as “ADR”. This video is the third in a four-part series on mediation. This video discusses how to participate in mediation.

## Watch the Video



### Preparing for Mediation

- Consider what you want to discuss. Think about what’s most important to you, and what you think is most important to the other person. Think about the topics you need to resolve and questions you want to ask the other person.
- Prepare any resources you may need to bring. Bring documents and information that will aid the discussion and answer questions.
- You should dress comfortable.
- Give yourself plenty of time for the mediation. Mediation sessions can vary in length.
- Allow yourself to relax. Mediation is less stressful than you might think.

### Participating in Mediation

- Listen for new information and keep an open mind. It is important to hear what the other person is saying. Ask questions to help you understand. There may be a lot to talk about so try to focus on what you really need and want to end the conflict.
- Be creative. Mediation gives you an opportunity to come up with unique solutions. You may discover new solutions that you had not previously considered.
- Think carefully about how a solution will be implemented. Discuss all the specific details like when something needs to happen and how that action will be performed.
- You can end the process at any time but give it a chance. You may be surprised to find that you and the other party can find solutions that you never anticipated.

### What Happens if there is an Agreement?

- Your agreement should be written down. The mediator may record points of agreement. You can ask a lawyer to write up the agreement.
- When both parties sign an agreement, it may become binding. Do not sign the agreement if you do not understand it. You can have a lawyer review it before you sign.
- If you have an open court case or will be filing with the court in the future, you may need to provide the court a copy of the agreement.

### What if there is no agreement?

- If you don’t reach an agreement on some or all of the issues, you don’t lose any rights. You can still have your conflict resolved through the court.



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