

Resolving Disputes Through Mediation



Having a disagreement with - your neighbor, a family member, your landlord, a local business?

These and other conflicts can often be resolved through mediation. It's easy to arrange and confidential. Best of all – you retain the power to make decisions and develop an agreement.

What is Mediation

Mediation brings disputing parties together to explore their understanding of the conflict and empowers them to decide on a resolution.

Mediators believe the parties themselves are best able to define the issues, generate options leading to a solution that responds to their own needs.

The mediator is an impartial facilitator of the conversation, helping the parties listen and talk with each other, consider each other's perspective and make voluntary, informed decisions. The mediator does not offer solutions, but helps the parties change their interaction – from negative to positive, from destructive to constructive.

Mediation differs from other dispute resolution processes, such as arbitration and litigation, in that the parties themselves make their own decisions and craft their own agreement.

Situations where a Mediator Can Help

Mediation is most effective and useful in situations where the parties are involved in an on-going relationship and will need to interact in the future, such as:

- Conflicts between business partners
- Issues with a neighbor
- Employment disputes
- Child custody arrangements
- Landlord/tenant issues
- Arrangements for the care of an elderly relative

What to Expect in a Mediation

- Any party can request a mediation. The mediator will contact the other parties, explain the mediation process and invite them to participate in the mediation.
- Participation is voluntary and anyone may end their participation at any point if they feel continuing would not be useful.

- At the mediation the mediator will explain the process and invite the parties to present their views.
- The mediator and parties may develop ground rules to guide their discussions.
- All discussions with the mediator before and during the mediation are confidential.
- During the mediation participants may request a separate meeting with the mediator. Discussions during these separate meeting are confidential, unless the party wishes to bring information back to the table.
- By summarizing and reframing the issues, the mediator frequently helps the parties prioritize their importance and decide where they need to direct their energies.
- Measuring the success of a mediation can be difficult. Often participants come away feeling the mediation has met their needs simply because it allowed them an opportunity to air their issues, be heard and learn more about the other parties' perspective. In many cases, the participants decide that they want to formalize an agreement. In this case, the mediator will help the parties write it down in their own words.

Selecting an Appropriate Mediator

Pennsylvania does not license mediators; however, there are many practicing mediators who meet qualifications established by local and national organizations and programs. It is best to interview several mediators who work with the type of dispute you are seeking to resolve. Check out the link to [“How to Select a Mediator”](#) for additional information.

Cost of a Typical Mediation

Solving conflicts through mediation usually takes less time and costs less money than litigation. Costs vary widely, depending on the complexity of the case and the experience and training of the mediator.

Mediators come from a variety of professions, such as law, social work, human resources, psychology, education, business and the ministry. Their hourly rates usually reflect their training and years of experience.

Mediation centers may request a small donation, use on a sliding scale, or charge fees comparable to private mediators. Be sure to ask about the fee when you interview prospective mediators.

Use the [“Locate a Mediator”](#) section to browse the listings of PCM members who offer mediation. This may be a helpful resource to start locating a mediator. Please be aware that a listing on the web site is not an indication that PCM has screened or endorsed any particular mediator. Mediation consumers need to take their own needs and criteria into account when selecting a mediator.