



Jefferson County Mediation Services
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JEFFERSON COUNTY MEDIATION SERVICES Meeting Notice

JCMS Case # _____

Name of mediator(s): _____

Date of mediation session: _____

Time of mediation session: _____

Location of mediation session:

Directions:

If you cannot attend the mediation session, you must contact your mediators.

If you cannot reach the mediators you should call the JCMS office (303-271-5060) as soon as you know that you cannot be there. Volunteer mediators drive to the mediation from other locations, so please be considerate.

For map, go to www.maps.google.com

Please read included document for a description of the mediation process

Office Use Only

Letters Sent _____ Room Scheduled _____ Case Updated _____ Task Updated _____

DESCRIPTION OF THE MEDIATION PROCESS

Conflict occurs whenever two or more parties believe they have incompatible goals or limited resources. Conflict is inevitable, but is destructive only when the parties cannot resolve their differences, and get “stuck” in their usual methods of resolving conflict.

People have used various processes to settle disputes, from informal discussion and problem-solving to violent interaction. Mediation is a process that allows the parties to maintain control of the decision-making, while an additional, neutral party helps to make the process work. Facilitation by an impartial third party who has no decision-making power allows the parties to negotiate in a safe climate where all concerns, interests, ideas and information can be heard. The parties can then reach their own mutually-acceptable settlement of the issues in dispute.

There are several benefits of using the mediation process rather than other dispute resolution processes. Mediation is generally *less expensive* when compared to litigation or other forms of fighting. Mediation often provides a *more timely* way of resolving disputes, especially when court hearings can be months apart. This is especially valuable for parties who need to have a *continuing relationship*, and wish to put the dispute behind them and get on with their lives. Since mediation settlements are mutually agreed upon, parties generally are *more satisfied* with their solutions than with those imposed by a third party decision-maker (e.g., a judge or arbitrator). Finally, parties generally *comply with the terms* of agreements that they have crafted themselves than they do with terms imposed upon them by someone else.

Mediators can be helpful in dispute resolution when:

- The parties’ emotional involvement is intense;
- Communication between the parties has not been effective and the parties cannot change the situation on their own;
- There are serious disagreements over specific facts or data;
- There are multiple issues in dispute and the parties cannot agree on the priority or even, sometimes, the existence of all issues of the dispute;
- There are perceived or actual differences in the interests of the parties;
- The parties are having difficulty starting negotiations, or establishing an effective negotiating procedure.

Mediation begins with the development of a rapport between the parties and the mediator. The mediator collects and analyzes relevant information about the parties that will allow the development of an appropriate strategy. Once the parties are brought together at a mediation session, the mediator helps the parties to define generally the topic areas of concern, to agree on the issues they will discuss, and the sequence of discussion. The mediator establishes ground rules that will provide a safe environment for the parties to set out their concerns and interests, and helps them generate options that could resolve the issues. The mediator then helps the parties, individually and collectively, to determine fair criteria for assessment of the options, and to bargain for substantive details that best match the needs of the parties. Finally, the parties may, if they wish, develop a formal written agreement that identifies the steps each will take to fulfill the agreement, establish an evaluation and monitoring procedure, and/or create an enforcement and commitment mechanism.