

It has been scientifically proven and confirmed in practice that mediation (process) saves loads of time, stress, and money. The process is effective and completely focused on a search for a suitable solution. The main “ingredient” in this process is Your willingness to end the dispute, though your approach towards the case makes a great deal of a difference to your personal and financial gain.

In this brief article, you will find a short introduction to the mediation process and the role of the mediator. It will compare two similar cases with opposite results caused by different approaches demonstrated by the parties. The final advice is that if you are or you find yourself in any conflict, mediation will help you to make right decisions to save your health, time, and money.

The mediation process is based on voluntary participation, confidentiality, and authorisation to make decisions and sign a mediation agreement. It is usually a one-day conference, in person or online, prepared by a qualified mediator. The parties prepare a brief summary of their arguments and possible options they would like to consider and pass them to the other side.

Undoubtedly, it is your right and your decision to hire a solicitor and it is not my intention to advise against it. Quite the opposite, the issue might be too complicated to be solved without legal aid. However, the longer the communication through the solicitors, the bills for their services get higher. On the average, over a two-year period accumulates approx. £30.000 on each side. And then after a prolonged period of conflict your solicitor might advise the mediation process before moving towards another court hearing.

Here are some benefits of the mediation process:

- Possibly to cease the conflict on the same day,
- You are in control of a suitable outcome,
- stops accumulating bills for legal services,
- avoiding additional cost of court hearing, which might not bring expected results.

There are more gains from mediation, though it depends on your willingness to end this “costly nightmare”.

Having said that, let us have a look at two case studies below.

Case A: Once the direct communication has been broken, legal advisors have been hired.

For a few years of a dispute both parties accumulated massive legal bills by hiring legal advisors on a “No win, No fee” basis. This also adds pressure to get the case to the court

where the chances are still 50/50. Just before the court hearing the parties agreed to mediations.

After long hours of mediation conference, the parties were ready to present their options, mainly the amounts of money they are ready to pay to end the dispute on the day. One of the parties was really close to match the opposite side's requirement. However, the offer got drastically reduced after the party consulted with the solicitor. In response, the other party declined the offer.

The mediator offered full support to review all options moving back and forward to close the case on the day. Unfortunately, in this case the parties reached another stumbling block and followed the solicitor's advice. Of course, it was their absolute right to do so. Nevertheless, the dispute went to court, which created further legal bills, stress level, consumed time and effort.

Case B: One of the parties decided to check first, if the other party would like to participate in the mediation process, before hiring a solicitor.

Of course, the mediation process will create additional costs, but it will still be less expensive than any legal service. No assumptions here, just ask the other side, because you never know what their answer might be. If they accept it, look for a suitable mediation company to arrange a mediation conference. If the other party declines or does not respond, then you will know what to do next.

The first party has found the right mediation service acceptable by the second party. Over the one phone call they have arranged a pre-mediation meeting with the mediator. The mediator contacted the other party to confirm the case. The mediation fee has been paid, the mediation conference date, time, and place (online) has been accepted.

On the day of the conference, both parties were equally supported by the mediator, and they were actively seeking the most suitable solution. The mediator was facilitating the conference with full confidentiality and impartiality. Both parties had an opportunity to work out the most suitable options for them, and they reached an agreement at the end of the day. All of it has been done on the same day for less than a thousand pounds!

Those two examples highlight few important aspects while you are in dispute:

- If possible keep communication channels open: ask the other side to consider the mediation before hire a solicitor,

- If it is not possible to communicate with the other side: consult your solicitor regarding the mediation option before pursuing the case in the court of law,
- Once you and the opposing party get to the mediation conference, stay willing and actively willing in decision making without any assumption. The most “insane” idea might bring the best solution to the conflict,
- If all above are not convincing: in court there is possibility that the judgement will not bring an expected result, but it will bring additional costs,
- Remember: court hearing will add more stress to the one you have already gained during the conflict,

Finally, simple maths: the effective and peaceful end of conflict may cost less than a thousand pounds instead of tens of thousands of pounds.