

Mediation Week Reminds Us That Mediation Has Many Benefits

By Rebecca L. Palmer

Mediation Week is here. Though it's not on a national holiday calendar, this official week, October 17 – 23, proclaimed by Chief Justice Charles T. Canady of the Supreme Court of Florida, focuses on the importance of Alternative Dispute Resolution (ADR) or mediation as an effective substitute to litigation.

Florida has been a leader in recognizing and promoting mediation, and state courts have utilized it for over 30 years. Mediation cases often involve divorce, child custody issues, disputes between family members, neighbors, business partners, landlords and tenants, and labor unions and management.

As legal professionals, our goal is to pursue the most favorable outcome for our clients. At times in our law practice, we have advised mediation as an option rather than taking the case to trial. Mediation is a method of dispute resolution in situations where the parties in a disagreement want to, or will be forced to, keep working together or maintain an ongoing relationship such as shared child custody, shared assets, or business partnerships. In mediation, the only people making decisions are those involved in the dispute. This is unlike arbitration or litigation, where a judge or an arbitrator makes the final decision.

Each case is unique, but we have seen the benefits of mediation which include the process being less expensive than a trial and that there is no public record of what goes on in your sessions. It gives both parties the power to reach a

resolution based on the outlined outcomes and prevent having a resolution handed down through legal channels. In many situations, mediation is far better than a court hearing.

Building on the Chief Justice's best wishes for those observing Mediation Week, we hope you take some time this week to revisit your legal options and discover the proper resolution process for you. Mediation can provide many benefits when it comes to resolving legal disputes.

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