

Mediation May Be The Answer

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Mediation is a helpful process for resolving many types of disputes. With its increased use over the past few decades, mediation has proven to be especially beneficial in resolving emotionally charged disputes in employment and domestic matters.

Mediation is basically a structured settlement process facilitated by a neutral third party who engages in "shuttle diplomacy." Mediation works best with a trained mediator who is very experienced. Of course, the process works only if the parties have a good faith commitment to exploring their respective interests and patience to work through the process. In such cases, mediation can be amazingly successful.

Regardless of whether the underlying dispute is over domestic relations, employment or other legal dispute, mediation has certain universal advantages. For purposes of literary alliteration, we will label these advantages as "The Six Cs:" (1) choices; (2) control, (3) confidentiality, (4) cost, (5) calendar-time, and (6) closure.

Mediation may not be appropriate in every situation but it has significant advantages for the parties to a dispute. It has a proven track record of helping short-circuit the adversarial litigation process. Any party in a legal dispute should seriously consider engaging in this process before submitting to the judgment of a court.

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