

THE BENEFITS OF CIVIL MEDIATION

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MEDIATION
FOR FLORIDA

WELCOME



Thank you in advance for considering Mediation For Florida for your mediation or arbitration needs. There is no doubt that resolution of conflict through mediation is the most cost-effective solution to all litigation – if it can be achieved. My goal is to help provide the best process by which you can achieve that end.

Congratulations! You have just taken the first step toward avoiding the expense, the uncertainty and distraction of taking a case to trial. Your consideration of using me, or any member of Mediation For Florida to mediate or arbitrate your dispute is sincerely appreciated.

As you finalize your decision please consider the following:

- **Experience counts.** You will get the benefit of an AV-rated attorney with decades of litigation experience and years of Alternative Dispute Resolution experience.
- **Determination and Flexibility.** I am here to serve you and determined to provide the service that will bring all parties to a dispute back to use me. That determination is reflected in my flexibility in scheduling the time, date and place, right down to the very end of the mediation itself.
- **Controlled and Predictable Costs.** You will never be charged an administrative fee, for reasonable travel time, preparation time or room charges. The hourly fee for the actual mediation is your only charge. No surprises, just quality service.

The rewards of a successful mediation or arbitration can be tremendous on a number of levels. Most clients know that their attorneys are ready, willing and able to be their gladiator in trial, that knowledge is an asset in mediation and arbitration, but those same clients are very aware of the bottom line and may appreciate even more, the attorney who can reach a solution that relieves them of the costs of protracted litigation in terms of stress, time, concentration and money.

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Civil mediation is a process that allows you to settle your civil disputes out of court. Before mediation gained the popularity it currently enjoys, anyone who had a civil dispute had to look to the courts for a resolution. This is no longer the case.

With civil mediation, a neutral, third-party civil mediator will facilitate a discussion between the parties in dispute and help them reach an agreement regarding how to resolve the conflict. A good civil mediator has had experience in litigation and understands what is likely to happen if the case were to go to court. He or she can then direct the parties in dispute on the best course of action without getting the courts involved. In mediation, the parties in dispute remain in control. No judge or jury will make a decision for them—only they (with the help of the mediator) can decide the path to resolution that works best for them.

For many, the benefits of civil mediation make it the perfect option. For example:

1 *It's quicker.*

Since civil disputes happen often, courts dockets can become clogged with cases, making it months—in some cases, even years—before your dispute is fully resolved. Before your case is even heard, mandatory meetings with lawyers can be a scheduling nightmare, as well, extending the lifespan of your dispute indefinitely.

However, with civil mediation, you can reach a settlement in a matter of hours or days—the choice is up to you. The disputants involved in a mediated case are in complete control of the timeframe and outcome of the proceedings.

2 *It's less costly.*

Litigation is an expensive endeavor, even for “simple” cases. In litigation, there are attorney fees, filing fees and court fees. In addition, since litigation happens on the court’s schedule, disputants often have to take off work to be present, which ends up adding to the cost of the endeavor. However, with civil mediation, a per-hour rate is usually assessed and disputants have the option to resolve their case quickly. Even if mediation takes a little longer than expected, the total expense is still far less than what most would have to pay to take a case through trial.

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3

It's flexible.

In civil mediation, you don't have to schedule your life around court hearings and attorney meetings. In fact, civil mediation is one of the most flexible paths to resolving a dispute because you can schedule it whenever and wherever best fits your schedule and needs.

4

It's less stressful.

Litigation is almost always a highly stressful event. When your case is in the hands of a judge and jury, the level of stress that is often present can be disconcerting, at best—traumatic, at worst. One of the things many people have to say about the process of mediation after they have gone through it is how much easier it was than dealing with the court system. From start to finish, a mediated case is just less traumatic for everyone involved. Since a mediated case is usually resolved quickly, what little stress there is in the process is mitigated by a faster turnaround time and the ability to get back to “normal” life as soon as possible.

5

It can be used to resolve multiple types of disputes.

Civil mediation can be an effective alternative dispute resolution process for cases involving:

- Personal Injury
- Guardianship, Probate & Estate Matters
- Divorce & Family Law
- Business Matters
- Wrongful Death
- Automobile Liability
- Premises Liability
- First & Third Party Insurance Matters
- Property Damage Claims
- Personal Injury Protection Benefits
- Commercial Litigation
- Construction Litigation

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6 *It's confidential.*

When you bring your civil dispute to court, you are allowing a very public exposure of your conflict to be enacted. If the conflict is embarrassing or could potentially damage yours or your business's reputation, such a lack of confidentiality can have negative repercussions for a long time after the case is settled. In civil mediation, however, your conflict remains behind closed doors and unexposed to the public eye. You don't have to worry about a loss of reputation—either personal or business—and you can rest assured knowing that perfect strangers will not be present when your case is presented and decided.

7 *It preserves an on-going relationship.*

One of the worst things about the nature of civil disputes is the way they cause problems with relationships. Many civil disputes occur with our neighbors, our business partners, our family members or people with whom we'd like to preserve relationships, and nothing can ruin a relationship faster than going through litigation together. In fact, if your relationship is difficult due to the dispute, you can be assured that going to court will only make it more so.

Civil mediation provides an alternative dispute resolution method in which communication and mutual respect are brought into focus above personal gain or loss. Without the paradigm in which all sides "lawyer up," it's easier to get to the heart of the matter and determine the best way to proceed to maintain the best relationship possible, despite the dispute. This is particularly important for co-parenting partners or business partners who need to maintain respect for each other to avoid long-term damage to the relationship. Such damage could have devastating effects on children or a business, and mediation will avoid such damage.



If you would like to resolve your disputes through civil mediation, please call Clark Jordan-Holmes at 813-966-2626 or email Clark@MediationForFlorida.com to schedule a consultation.

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