

10 things NOT to do in Mediation

When going to Mediation, there are best practices that need to be considered when preparing and conducting the Mediation process. Here is a list of things you should NOT do in Mediation if your goal is amicable resolution of the pending legal matters:

1 → Do not interrupt, even if you disagree. Everyone will have the opportunity to speak, including you.

2 → Do not get defensive. Keep your cool and avoid yelling, blaming, or using hostile body language.

3 → Do not lie or hide information. Dishonesty damages trust. More importantly, it will negate any progress at mediation meaning you may end up in court.

4 → Do not refuse to listen. Active listening shows respect and helps you understand everyone's needs and feedback as you work toward resolution.

5 → Do not dismiss the Mediator's input. Mediators create an even-playing field and aid in finding amicable resolution - undermining them hurts everyone.

6 → Do not come unprepared. Bring any key information and know what you want beforehand. Be prepared to explain your position and desires.

7 → Do not adopt a "take it or leave it" stance. Mediation is about flexibility and compromise, ultimatums shut down negotiations and inhibit progress.

8 → Do not call it "quits" just to get it over with. Never agree to something you cannot actually live with just to be done, take time to consider and discuss.

9 → Do not break confidentiality. Sharing information outside of mediation can backfire, keep the details of your case to yourself until it is resolved.

10 → Do not expect to "win." Mediation is not about winning or losing, it is about working together to find solutions that work for everyone involved.