

**Heartland  
Mediators  
Association**

## **MEDIATION**

*where you live & work*

Heartland Mediators Association



**Professionals in Conflict Resolution**

PO Box 14971

Lenexa, Kansas 66285

[www.heartlandmediators.org](http://www.heartlandmediators.org)

## WHAT IS MEDIATION?

Mediation is a form of “alternative dispute resolution”—that is, an alternative to going to court when a dispute exists between two or more parties.



## HOW DOES MEDIATION WORK?

A neutral person (someone who has not taken sides in the dispute) sits down at a meeting with the disputing parties to help them find a solution that all sides can support. This neutral person, trained in the art of dispute resolution, is called a “mediator.”

## WHAT DOES THE MEDIATOR DO?

A mediator promotes communication and negotiation between parties. Most people in the midst of a disagreement find that communication becomes easier when a skilled mediator is present to direct the exchanges of information between sides. A mediator DOES NOT make the final decision—a mediator is not a judge or arbiter. The solution must be agreed upon by all parties to the dispute.

## WHY MEDIATION?

- 1. Save money:** Eliminate the need for long and costly court battles.
- 2. Save time:** Many disputes are resolved in a single mediation session.
- 3. Move beyond entrenched position:** Parties often find new ways to accomplish their goals.
- 4. Maintain and repair relationships:** Preserve business affiliations, family ties, friendships or other bonds.
- 5. Maintain control over the outcome:** Avoid letting a court make the decisions.
- 6. Make future communications easier:** Give parties a model of productive interaction.
- 7. Include parties who would not be allowed in litigation:** Just be sure all parties agree to their participation.
- 8. Maintain privacy:** Mediation session are confidential, while court hearings are public.



# HEARTLAND MEDIATORS ASSOCIATION

## MORE ABOUT MEDIATION

Mediation is a joint, cooperative problem-solving process. The individuals with authority to settle the dispute need to participate. Participants need not feel friendly toward one another but should be willing to work to find solutions. Mediation is not a substitute for independent legal advice or tax advice. The mediator does not represent either party.



The mediation conference is confidential and privileged, allowing the parties to be candid and creative and increasing the chances of satisfactory solutions. Confidential information relayed to the mediator will not be disclosed to the other party without the consent of the party disclosing the information.

Mediation is one alternative—often the BEST alternative—for resolving disputes. It does not eliminate other options—arbitration, court, etc.—in the event that mediation is not successful.

**TRY MEDIATION!**

## WHAT CONFLICTS CAN BE MEDIATED?

**ALMOST ANY CONFLICT:**

### **FAMILY DISPUTES**

- |                                   |                                       |
|-----------------------------------|---------------------------------------|
| ◊Marital conflicts                | ◊Parents and teenagers                |
| ◊Divorces                         | ◊“Child In Need Of Care” cases        |
| ◊Post-divorce issues              | ◊Financial arrangements for relatives |
| ◊Non-marital relations            | ◊Guardianships and conservatorships   |
| ◊Non-traditional families         | ◊Heirs and estates                    |
| ◊Child custody and parenting time |                                       |
| ◊Grandparent issues               |                                       |

### **PROPERTY & DEBT ISSUES**

- |                              |                              |
|------------------------------|------------------------------|
| ◊Real estate transactions    | ◊Creditors/Debtors           |
| ◊Division of family property | ◊Farm credit                 |
| ◊Bankruptcy                  | ◊Landlords/Tenants           |
|                              | ◊Neighbors and neighborhoods |

### **BUSINESS & EMPLOYMENT MATTERS**

- |  |                                     |
|--|-------------------------------------|
| ◊Business contracts                    | ◊Management and personnel conflicts |
| ◊Disputes within and between companies | ◊Discrimination                     |
| ◊Customers and merchants disputes      | ◊Harassment                         |
|  | ◊Partnership disputes               |

### **PUBLIC & GOVERNMENTAL CHALLENGES**

- |                       |                                       |
|-----------------------|---------------------------------------|
| ◊Community planning   | ◊Disputes within and between agencies |
| ◊Environmental issues | ◊Legislative matters                  |
| ◊Education issues     |                                       |

### **MEDICAL, LEGAL & OTHER CONFLICTS**

- |                            |  |
|----------------------------|--|
| ◊Malpractice               | ◊Personal injury, accident, insurance claims |
| ◊Medical and extended care | ◊Religious congregations                     |
| ◊Probate issues            |  |

## WHAT IS HEARTLAND MEDIATORS ASSOCIATION?

Heartland Mediators Association (HMA) is a not-for-profit organization bringing together individuals in Kansas, Missouri, Oklahoma, Nebraska and surrounding states who share a common interest in mediation. HMA advocates for and provides continuing education about mediation; and provides a network for information, skill sharing, and referrals.

**FOR A LIST OF MEDIATORS OR FOR MORE INFORMATION, CONTACT:**

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