

MEDIATION IS

- A voluntary service provided by East Mississippi REALTORS®
- The obligation to participate in mediation as contemplated under Article 17 of the REALTORS® Code of Ethics includes:
 - The obligation of REALTORS® (principals) to cause their firms to mediate and arbitrate and be bound by any resulting agreement or award.
 - Article 17-does not require REALTORS® to mediate in those circumstances when all parties to the dispute advise the Board in writing that they choose not to mediate through the Board's facilities. The fact that all parties decline to participate in mediation does not relieve REALTORS® of the duty to arbitrate.
- Mediation is Private and a way to get two or more people to talk

MEDIATION *IS NOT*

- Making decisions for the parties
- Free Discovery

WHY IT WORKS

- Quick
- Low cost
- Flexible
- Improves relations
- Parties talk to each other

MEDIATION POLICY ISSUES

- Attorneys - Do not need, if one party intends, notify other party
- Witness - Rarely helpful
- Documentation - Exhibits not required
- Voluntary - They retain control over outcome
- Confidentiality - Everything confidential, not required to report ethical violations, mediator can't testify later
- Scheduling - Within 30 days of request
- Fees - Usually voluntary unless association specifies
- Multiple Sessions - Usually one session

STAGES OF MEDIATION

- Seating - Mediation officer at head of table, parties on either side. Conveys impartiality
- Mediator's opening statement
 - Thank them for voluntary participation
 - Neutrality
 - Confidentiality
 - Mediator's role
- Caucus
- Mediation Agreement
- Parties' statement - Explain their view
- Issues - Both parties identify issues to be addressed
- Cross Talk - VERY IMPORTANT- talk to each other
- Caucus - Private meeting with mediator
- Agreement - Parties explore workable solutions
- Closures - Complete & Sign Settlement form, parties write the agreement

Who to Contact?

- East Mississippi Realtors – 4927 Hwy 493, Meridian, MS – 601-485-7113