How to Find a Mediator

cobar.org
Mediators are listed in the CBA Find-a-Lawyer
block under Alternative Dispute Resolution in
the Practice Area tab.

coloradocourts.state.co
Many courts have lists of mediators in their
District.

Or search mediation on the Internet for me-
diators in your area.
Mediation or Court Proceeding?

Mediation is less formal, faster, and usually much cheaper than going to Court and having a trial.

Mediation can be done at any time, including before filing a Court case.

Mediation agreements, once approved by the Judge, become enforceable Orders of the Court.

Court rulings can be unpredictable. Parties are often surprised by the Judge’s decision. A party may also face difficult post-trial consequences. Trials can be costly with no clear winner in the end.

While many cases are appropriate for mediation, you should talk to your mediator to make sure the mediator has the experience to help you with your issues and that the case is suitable for mediation.

If mediation doesn’t work, the parties can always go back to Court.

What is Mediation?

Mediation is informal, with very few rules and legal technicalities—just plain talk.

Mediation is a confidential process between the parties to a dispute or problem, using the help of an experienced neutral third party.

Mediation is voluntary and private. The parties can communicate and air grievances. Resolution occurs without the formality, visibility, or limitations required in a Court proceeding.

The mediator helps the parties develop their own solutions rather than going to Court and having a Judge decide.

Mediators are not judicial officers or “deciders.” Nothing they say or do is binding on the parties. They help facilitate your agreement.

Mediation is especially helpful when people want to improve or maintain their relationships and are willing to try to negotiate together.

Issues Appropriate for Elder/Probate Mediation

Mediation is helpful for disputes about:

- wills
- trusts
- conservatorships
- guardianships
- health care
- respite care and support for caregivers
- end-of-life decisions
- familial disputes
- information sharing and communication issues
- many other issues involving Seniors

The Mediator’s Role

Impartial—equal attention to all sides

Process Expert—effectively guides people in a facilitative manner

Assist in Communication—helps people frame their words in a productive manner

Confidential—issues are discussed in private sessions; information is not made public unless all the parties agree

Benefits of Mediation

Unlike the court setting, mediation allows people in conflict to customize their own agreement.

Benefits include:

- Important relationships can be preserved
- Provides a private forum to air grievances and to be heard
- Helps participants communicate and manage conflict better
- Less stressful and usually less costly than litigation