Mediation Encyclopedia Article

Mediation

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Mediation

Mediation is a facilitated negotiation in which a skilled, impartial third party seeks to improve relations between parties to resolve a conflict by improving communication, identifying interests, and exploring possibilities for a mutually agreeable resolution. The mediator has no power to impose any solution. Instead, the disputants remain responsible for negotiating a settlement. However, once signed, mediated agreements typically enter the regulatory process to become binding. The mediator's role is to assist the process in ways acceptable to the parties. Mediation most often is a voluntary process, but in some jurisdictions may be mandated by court order or statute. Many believe that mediation is more cost effective and produces better resolutions than settling a dispute out in court.

Internet Resource

U.S. Institute for Environmental Conflict Resolution Web site. Available from http://www.ecr.gov.