

District Court of Maryland Alternative Dispute Resolution

The District Court recognizes that many conflicts may be better resolved through mediation or some other alternative to litigation.

District Court's Alternative Dispute Resolution (ADR) coordinators screen cases that come before the Court and identify those that may benefit from mediation. Parties involved in these disputes may be offered the opportunity to mediate prior to the day of trial. Some courts may offer mediation on the day of trial.

Participation in the mediation program is voluntary and offers many benefits.

Points to ponder

Should you mediate or go to court?

What could happen in court? What is the range of outcomes?

Are you comfortable with personal information being discussed in public?

How much time will it take and what will it cost to go to trial: to appeal a verdict; to resolve a countersuit?

How difficult will it be to collect a judgment? Will a favorable verdict resolve the underlying problem?

Does mediation work?

Mediation techniques have been proven effective in resolving a wide variety of conflicts, including those involving schools, businesses, government agencies and neighbors. In fact more than 50 percent of cases that go to mediation are resolved in mediation.

Studies have shown that agreements reached in mediation have a higher compliance rate than other settlements. Remember, the agreement is decided upon by all parties involved in the dispute, so it will more likely be a lasting solution.

***You have nothing to lose
in trying mediation.***

***If you can't reach an agreement,
you can then go to court.***

For More Information

District Court of Maryland
Alternative Dispute Resolution Office
Phone: 410-260-1676
Fax: 410-260-3536
www.mdcourts.gov/district/adr/home.html

For more information about the Maryland Judiciary and the District Court visit the website, at

www.mdcourts.gov

It is the mission of the District Court of Maryland to provide equal and exact justice for all who are involved in litigation before the court.

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Mediation

What Is the
Best Way
to Resolve
a Dispute?

Should I go to court or mediate?

- *Your brother owes you money and won't repay. Should you sue him in court?*
- *The neighbor's dog won't stop barking. How can you find a solution that works?*
- *Your mechanic said he fixed your car, but the problem persists. How do you resolve the dispute?*

Most people face a wide variety of conflicts on a daily basis. Historically people have used the court system in an attempt to resolve many of these problems. Is the court your only solution? Are there alternatives?

What is mediation?

Mediation is a process that brings people together to clarify issues, discuss options and, if possible, reach an agreement. It is a form of dispute resolution that is an alternative to trial. Mediation involves all parties in the dispute working with a professional mediator trained in conflict resolution.

Mediation is voluntary. All parties involved in the dispute must agree to mediation. However, by using mediation, parties do not give up their legal rights. If an agreement is not reached, parties can still go to court.

■ Court

Cost

Court fees, possible legal fees, cost of lost work and time

Discussion

Directed by judge
Adversarial by nature

Decision/outcome

Decided by judge
You win or lose

Privacy

None, discussion is public record

Time

Scheduled at convenience of court
Process may be lengthy with multiple court dates

■ Mediation

Cost

Generally free. No legal fees. Session may be scheduled during non-work hours or at convenient times

Discussion

Directed by you and other party
Cooperative by design

Decision/outcome

Decided by you and the other party

Privacy

Usually confidential

Time

Scheduled at a mutually-agreed time
May involve only a single session

Who are the mediators?

Mediators come from all walks of life, with diverse backgrounds and experiences. Every mediator receives extensive training in conflict resolution, listening skills and working with people.

Mediators are trained to remain neutral. They will not make decisions for you, provide any legal advice or recommend the terms of an agreement.

All communications with a mediator remain confidential, except as defined by law.

Can I request mediation?

The District Court of Maryland partners with community mediation programs throughout the State to provide an alternative to court litigation.

To find the community mediation program nearest to you, please visit Community Mediation Maryland's web site at www.mdmediation.org, or call our office at 410-260-1676 or 1-866-940-1729 and we will be happy to provide you with that information.

When people bring their disputes to mediation, they often develop creative solutions that last.