

5 BENEFITS OF CIVIL MEDIATION

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STEWART MEDIATION
ATLANTA

WELCOME



Thank you for downloading my Ebook and considering me as your Mediator. I appreciate you wanting to know more about me, as your Mediator, as well as the Mediation process.

Most of my clients are Lawyers representing either Plaintiffs or Defendants, with occasional unrepresented parties. Some Mediations are pre-litigation, but many involve cases in which suit has already been filed.

I am a Registered Neutral with the Georgia Office of Dispute Resolution and have mediated and/or arbitrated more than 4,000 cases involving wrongful death; catastrophic and serious injury; extensive property damage; business dissolution; and contract disputes over the last 28 years.

It is my goal in every Mediation, to resolve the case quickly, efficiently, and satisfactorily for all parties concerned. I want you to have all of the information which you need to make an intelligent decision for you and to have control over your own future. Helping the parties to bring closure to their cases is a very important part of what I do. When I see the relief all participants experience as they leave a resolved Mediation, I know that helping others truly is my "Calling".

If you have a case, whether in litigation or not, please give me a call. I would be glad help you bring your case to a conclusion. Even if a case does not resolve at the Mediation, much can be achieved to clarify the issues, in hopes of possibly advancing the parties toward a resolution in the near future.

I will strive to mediate your case efficiently and effectively, while empowering you to resolve the case in a manner which best fits your needs.

Jim

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Taking your legal dispute outside of the courtroom can have some incredible advantages for you and your case, which is why civil mediation is gaining traction as a popular form of alternative dispute resolution. Many people don't realize the impact of civil mediation benefits, which can lead to a better case outcome and a better experience in the conflict resolution process overall. Here are some of the five biggest benefits of taking your case to a Mediator.

1 BE MORE INVOLVED

When you're stuck in litigation, you give up a lot of control to your attorney, trusting their experience and judgment to represent you. You can also face the challenge of giving them too much- or too little information regarding your case. Both ends of that spectrum can end have negative implications for your case, whether it's high legal fees or a less satisfactory case outcome. You might be the one collecting all of the evidence and materials for litigation, but ultimately you have to rely on your legal representation for the case. Some people feel confident with this, but then find in the courtroom that their own role is very limited.

In mediation, however, your role is much more pronounced. The Mediator serves as a facilitator rather than a "supervisor". He or she will want to review the information you have brought to the table, but you can also come prepared to the meetings with some negotiation suggestions. In a wide variety of civil cases, you and the other party can play a more prominent role in generating your own solution, giving you a better sense of power in creating your own future.

2 LOWER COSTS

Many Mediators charge by the hour, but in mediation you're likely to spend less time overall. Since it's frequently protocol to split the cost of the Mediator with the other party, your legal expenses are going to be significantly reduced when compared with heading into court. Litigation can drag out for months, leading



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your attorney to continuously prepare for new hearings and re-strategize your case. In mediation, many civil disputes can be resolved in a handful of days or less. This has benefits for you personally, too, since you don't have to schedule time off work to be at multiple litigation hearings. You can have your case completed in a much shorter timeframe.

3 CHOOSE YOUR MEDIATOR

When you go to litigation, you might get to choose your attorney, but you don't get to choose the judge. What if that judge has no professional experience in handling a case like yours? What if he or she is unfamiliar with the industry in which the dispute resides? All of these can lead to disadvantages for your case. It's luck of the draw when it comes to judges, but that's not true in mediation.

Typically, disputing parties will work together to select a Mediator. While most Mediators are attorneys, there are also many other professionals who have a long work history in the industry or type of dispute that you are facing. When you have a professional on board who wants to move your case along quickly but still review all of the materials and facts, you'll benefit by spending less time in mediation. It's a much easier process when you don't have to explain a great deal to the Mediator.

4 BETTER COMMUNICATION SKILLS

Unless you have the specific goal of severing ties with the other party, mediation gives a neutral location where it's actually possible to improve your communication with the other party to the case. In some cases, you can even emerge with a repaired relationship. Especially if you have business interactions with the other party, litigation can tend to bring out the worst in everyone. Rather than arming yourself for battle in front of a judge, you'll be talking over compromises with a neutral individual who is likely more informed about your dispute.



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You can focus on getting to a resolution much more quickly when the informal process of mediation is used. Be prepared to make some sacrifices, since coming to the table with a hard and fast line about what you will and won't accept can stall mediation. Even in those cases, however, a trained Mediator can help you talk through options and realize what's in the best interests of closing the case. Many people leave mediation meetings more satisfied because they had the opportunity to communicate in a neutral and civil way. Depending on your Mediator, he or she is likely comfortable meeting with you both in the same room or shuttling back and forth with options between two rooms.

5 LESS TIME AND FRUSTRATION

For a lot of people, litigation can be taxing in terms of time and emotional investment. It can be frustrating to continuously attend litigation hearings or to wait weeks in between your various hearings. The battleground of litigation can be emotionally exhausting, causing your interaction with the other party to only grow worse over time. When you can resolve the case peacefully outside of court, you can reap the benefits of less time spent discussing the case and more time getting to a resolution and ultimately back to your life. If you don't want the headache of fighting someone else in court, think about whether mediation can be used as a tool to generate a resolution agreement, with which everyone can get on board.



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