

7 BENEFITS TO USING  
**CIVIL MEDIATION**  
INSTEAD OF LITIGATION



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# WELCOME

Thank you for your interest in the mediation process and my potential selection as a mediator. As a mediator I will bring my experience to the table to assist you in solving the problem(s) that your case presents. Mediation will save you time and money and may possibly result is a solution which a court cannot.

As a litigator for over 25 years, my goal was to win. If there is a winner in a lawsuit, there is invariably a loser. A successful mediation allows both parties to "win" by reaching a mutually satisfactory solution.

Having mediated for the past 12 years, I have been involved in contract issues, construction cases, employment cases, personal injury, general civil litigation matters, divorce and custody matters and even a case involving a church dispute. To me, a successful mediation is more satisfying than winning at trial.

I welcome the opportunity to serve you and your client(s).

Bill



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Issues within a community can lead to serious dispute and legal action. Mediation is an alternative to the adversarial process, stress and expense of going to court. Though there are times in which a matter must be resolved in court, there are also many instances when litigation is not necessary to reach a settlement. You control the outcome and can reach a resolution with the assistance of a neutral mediator. It is a confidential process that helps disputing parties develop the tools needed to truly resolve conflict and often reach agreements which courts cannot.

What are some of the most significant benefits of civil mediation?

## 1 SAVES TIME

Civil mediation settles disputes in less time than litigation. Disputing parties have control of the final outcome in mediation, which means they control the timeframe. If time is an issue, the parties can move quickly to reach a settlement. There is no need to adhere to the timeline of the court system and deal with the overload of court cases. This is one of the reasons why mediation attempts are sometimes mandated by the court before disputing parties are allowed to pursue litigation. The structure of mediation is also more flexible, making it easier for disputing parties to work around their personal schedules when it comes to settling an issue.

## 2 SAVES MONEY

In addition to taking less time than litigation, mediation also costs less. For many, the only cost associated with mediation is that of the mediator. Even if disputing parties decide individual legal representation is necessary, the price of an attorney is much less when the issue is settled through mediation, as opposed to traditional litigation. Mediation can also eliminate extra costs, such as court fees and miscellaneous expenses. If budget is an issue when it comes to settling a dispute, mediation is a great alternative to many other expensive options.



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## 3 ADVOCATES HEALTHY COMMUNICATION



Mediation is a process in which the main focus is communication. Mediators encourage disputing parties to discuss their feelings and concerns about the issue at hand, and to discuss all of the potential outcomes. Communication is at the core of all success mediation sessions, which means disputing parties are encouraged to speak up and play a role in the process. When everyone feels as if their voice has been heard, it can create a clear path to resolution.

A skilled mediator is able to help each side of a dispute understand the opposing point of view. This understanding makes it easier to reach a resolution that is long-lasting.

There is evidence that resolutions reached during the mediation process are more likely to “stick” once the mediation has ended. Disputing parties are more likely to hold up their end of the bargain when they have fully resolved an issue, “gotten things off their chest,” and played a role in the resolution. No one can ever know more about a dispute than the parties themselves and therefore be in a better position to reach a settlement that is satisfactory to both sides.

## 4 GIVES CONTROL TO DISPUTING PARTIES

Mediation is often successful because of the control it provides disputing parties. In litigation, the final outcome is in the hands of the judge or jury. Each side gets to state their case, but their role in settling the dispute essentially ends there. This means they have little to no control over the final outcome, which can leave them feeling helpless. When a dispute is placed in the hands of the court, the judge is bound to operate within certain parameters. A judicial decision makes one party the winner and the other a loser. A successful mediation makes both sides winners!



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## 5 CREATES A SENSE OF SATISFACTION WITH THE RESOLUTION

Civil mediation also makes it possible to avoid the win-loss mentality associated with litigation. The environment is less contentious and everyone can walk away from the dispute feeling satisfied with the outcome.

## 6 PRESERVES VALUABLE RELATIONSHIPS

Even disputing parties are able to maintain their relationships once the dispute is settled through civil mediation. Often, especially when it comes to business and community issues, preserving relationships is one of the most important aspects of mediation. Instead of risking a valuable relationship and making future work impossible, as might occur in litigation, mediation works through the problem and creates a stronger relationship as a result. Mediation avoids a lot of the tension and hard feelings that are a part of litigation and provides disputing parties with the tools needed to avoid similar conflicts in the future.



## 7 PROMOTES A SENSE OF ACCOMPLISHMENT

In mediation, everyone plays a role in the outcome. This means there is an opportunity to grow and learn new approaches to settling problems. This sense of accomplishment not only helps the relationship of the disputing parties in the long run, it also allows each side to feel better about their own skills and abilities.

Mediation is truly an opportunity for disputing parties to move forward in a healthy, satisfying manner. The process creates a sense of teamwork that can lead to a better situation on the other side of the dispute. Often, when issues are settled in the courtroom, parties are unable to recover from their “battle scars,” and relationships are severed.

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Bill offers his mediation services with 30 years of legal experience at the trial and appellate levels. This experience coupled with his background in the field of education make it possible for Bill to facilitate agreements for personal injury claims, probate matters, divorce & custody matters, disputes arising from where you live, work, do business or even where your children go to school

After practicing as a major case litigator for 26+ years wherein he successfully represented clients in all levels of Michigan Courts, including the Court of Appeals and Supreme Court as well a U.S. District Courts and U.S. Court of Appeals, Bill completed the Supreme Court Administrators Office training to become a general civil mediator, He received additional training as a domestic relations mediator. His training also includes advanced mediation seminars sponsored by SCAO and he serves on the Alternative Dispute Resolution™ and ADR Admissions Committees for Grand Traverse, Leelanau and Antrim Counties. He is also a member of the Michigan Council for Family and Divorce Mediation, and has also served as a Mediation Training Lecturer and was a top rated lecturer for the Institute of Continuing Legal Education.

If you believe mediation might be right for you or you are interested in learning more about the mediation process, contact Bill at 888-875-5769 or by email at [wcmmediator@yahoo.com](mailto:wcmmediator@yahoo.com).



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