

How to Start the Mediation Process: (General)

1. Consult your contract to see if there is a mediation provision. If there is a provision, read it and follow it.
2. Complete the Invitation to Mediate form. It will help you clarify what you see as the dispute and what you want.
3. Research who you want to be the mediator. Check with others you know who have used mediators. Check with various mediator associations for available mediators – www.aams.ab.ca or <http://www.amic.org/aboutus.html> or <http://www.crnetwork.ca/> or www.ADRWeb.ca. You may call several possible mediators to ensure there are no conflicts of interest and that they have the time to do the mediation. Just like when hiring another professional, be sure to check:
 - o qualifications, training as a mediator, experience as a mediator, insurance coverage, commitment to a code of ethics, cost, availability, knowledge in the topic of your dispute, neutrality, professional memberships, etc.
4. Finish completing the Invitation to Mediate form and send it to the other party(s) in your dispute. Keep copies of all the documents for your own files.
5. Follow up on the times – welcome a response from the other side in the form of a letter or the Reply to Invitation to mediate.
6. When you get the response, see if both of you have agreed to a mediator or do you have to exchange a new list of potential mediators or use an outsider to appoint a mediator for you.
7. When you have the mediator's name as agreed or appointed by the outsider, one or both of you need to contact the mediator to confirm the hiring of / appointment of the mediator.
8. From that point the mediator generally takes over the arrangements and will work with both parties to keep the process moving forward.

Invitation to Mediate (General)

To: _____
(name of the other party)

(address of the other party) (postal code)

From: _____
(your name)

(your address) (postal code)

(your phone #) (your fax #) (your email)

Date: _____

I/We notify you that I/We wish to mediate the following dispute with you.

1. What is the Dispute?

How I describe the dispute: (provide a summary of who, what, where, when, how of the events leading to the dispute)

2. *Relevant sections of any legislation that applies:* _____

3. *Relevant sections of the contract if one:* _____

4. *What I/We want as a result: (describe what you seek at the end)*

5. Who should mediate?

(Choose a) or b)). We have to agree on the mediator. I/We wish to have:

a) _____ a single mediator help us or b) _____ a team of two-co-mediators help us

I/We suggest the following persons as the mediator(s): (list name, contact information and provide a bio, if you have it)

i) _____

ii) _____

iii) _____

6. Your side of the dispute:

I/We am also interested in seeing how you describe the dispute between us and what you want as a result. I invite you to provide the information to me in the same way I have given this to you by completing the Response to Request to Mediate and sending it back to me within seven (7) calendar days.

Signature

Printed name



Response to Invitation to Mediate (General)

To: _____
(name of the other party)

(address of the other party) (postal code)

From: _____
(your name)

(your address) (postal code)

(your phone #) (your fax #) (your email)

Date: _____

This is our Response to the Invitation to Mediate.

1. What is the Dispute?

How I describe the dispute: (provide a summary of who, what, where, when, how of the events leading to the dispute)

2. Relevant sections of any legislation that applies: _____

3. Relevant sections of the contract, if one: _____

4. What I/We want as a result: (describe what you seek at the end)



5. Who should mediate?

(Choose a) or b) or c)). I/We wish to have:

a) _____ a single mediator help us or b) _____ a team of two-co-mediators help us

(please check one of the following and complete the information)

I/We agree to the following mediator(s) suggested by you: _____

I/We do not agree to any of the mediators suggested by you. I/We suggest one of the following persons as the mediator: (list name, contact information and provide a bio, if you have it)

i) _____

ii) _____

c) _____ we should ask the _____ to appoint a mediator for us for this dispute.

Signature

Printed name

