

Brochure Mediation

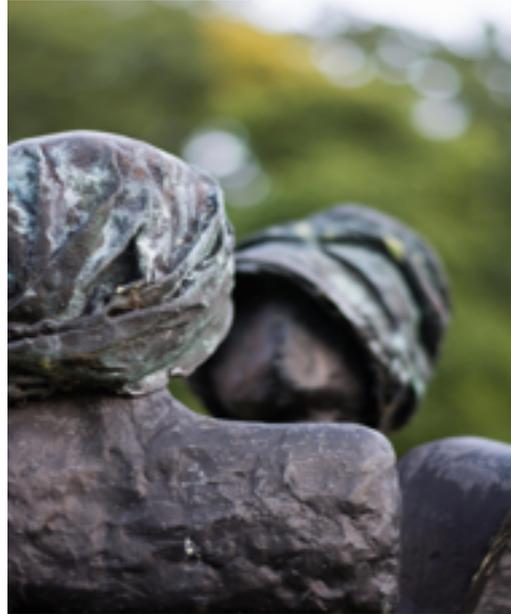
1 **Mediation**

Unresolved disputes and legal proceedings can be costly, lengthy, and can consume manpower and resources. Often a lot more than we realize, as time and costs are indirect, often not measured and therefore not visible to the organization.

The outcome of legal proceedings is usually one of 'win or lose', 'right or wrong'. As a result, the underlying interests that really matter often remain on the backburner, not addressed, most likely resulting in damage to, or even loss of, the relationship.

Mediation offers those with a vested interest in a dispute the possibility to shape their own joint outcome, with guidance from the mediator.

Mediation is effective, efficient and relationship-friendly



Effective

Mediation is an effective means to get to the heart of a dispute, and to arrive at a sustainable outcome. In one meeting, it often quickly becomes clear what the issue is for the parties, which interests are at play, and whether the parties are committed to looking for an outcome that serves both. This solution is tailor-made and can deliver much more than any legal verdict will offer.

Efficient

The cost and time involved are straightforward. Little time and money goes to waste on formalities and procedures. The costs are usually shared between the parties. In most cases, parties are able to reach a positive outcome to their mutual satisfaction in just a few sessions.

Relationship- friendly

Mediation enables parties to find their own solution that serves their interests. This often means a 'win-win', also in terms of their relationship. The parties have had the possibility to vent their frustrations, clear up any misunderstandings between them and deepen their insights into each other's situation. All this creates a good basis for continuation of the relationship.

2 Conditions for mediation

The willingness to engage in discussion and to look for an outcome or way forward that serves the interests of both parties is a condition for any mediation.

Confidentiality is another important condition for the mediation process. The sessions take place behind closed doors and the parties at the table commit to confidentiality. There is scope for tailor-made agreements on confidentiality if required for (progress in) the mediation.

The discussions are held on a voluntary basis. You never have to accept a solution that you do not support. You can be in the driving seat to determine your own outcome, under the guidance of the mediator.

A voluntary basis does not imply non-commitment. You are expected to make an effort to arrive at a resolution of the dispute – one that is acceptable to both parties.

3 The Mediator

The time may come when you or your organization needs professional assistance in the resolution of a dispute or the handling of complaints resulting from your whistleblower scheme.

Lucianne Verweij, the person behind JustBiz, is ideally placed to offer this assistance. Lucianne is an MfN Register mediator and operates in compliance with the professional rules and standard of conduct of the [‘Mediators federation Nederland’ \(MfN\)](#). She stands for an effective, sustainable form of dispute resolution, in a quick and transparent process. An approach that helps resolve the issues at the heart of the dispute. With discretion and professional expertise, Lucianne focuses on your interests and the interests of the others concerned.

Lucianne is transparent in her way of working, and in what the parties can expect from her. She is independent, impartial and offers a custom service: every dispute or complaint requires a different approach.

Lucianne has joined the network called [‘Merlijn Advies Groep’](#) and regularly collaborates with mediators and professionals from other disciplines in order to extend her knowledge, so she can assist her clients even more effectively.

4 Way of working

We usually start with an intake phone call. During this conversation we explore whether there is a willingness to engage in mediation and who should be at the table in order to be able to resolve the dispute(s).

Also agreements will be made on confidentiality and costs. These aspects will be laid down in a mediation agreement that will be signed by the parties and the mediator at the first session.

You are in the driving seat with regard to the content and speed of the mediation. A short throughput time is always the aim. Usually this translates into one to three sessions within a couple of weeks or months. Sometimes more discussions are required, for example in a dispute concerning a cooperation.

A mediation process usually involves the following steps:

- improvement of interaction and communication
- clarification of the issue(s)
- focus on the related interests
- negotiation towards resolution

The mediator may consider holding separate confidential sessions (caucuses) with each of the parties in the interim or during a mediation session. The results of the mediation are usually captured in a settlement agreement.

5 Costs

Lucianne charges an hourly rate, which depends on the nature of the dispute and the parties involved. Travel costs, part of the travelling time and any costs of hiring a venue are charged separately. General office costs are included in the hourly rate. The rate and costs are agreed up front, so you know what to expect. All declarations are itemized.

The costs of mediation are usually shared between the parties to the dispute. In that case, you pay half.

For those with an income below a certain level, there is a possibility to work on the basis of legal aid. In that case, you only pay the required 'own contribution'. Contact JustBiz to see whether you would qualify.

6 Contact

If you are interested in a free-of-charge introductory meeting to explore what JustBiz can do for you, give Lucianne Verweij a call on 06-49772974, or send an email to info@justbiz.nl