

## Why Use Mediation?

Mediation is a process where a trained and experienced facilitator may be able to help participants in the dispute to:

- Recover from and re-engage in issues that may have exploded beyond the control of the parties, or from circumstances where other integrative or determinative decision-making processes have not led to viable solutions
- Learn to trust one another sufficiently that all sides can clearly communicate their interests and issues to one another and understand one another's needs
- Develop agreements that will minimally satisfy the parties

In some situations, the transformative effect mediation may have on the parties can be as significant and valuable in the long term as whatever immediate policy outcome may be achieved.

Typically parties use mediation when:

- Parties desire and are able to speak for themselves and make their own decisions, knowing better than anyone else what it will take to meet their needs
- Agencies are willing to go beyond constrained interpretations of existing policies and exercise discretion and flexibility within the scope of existing regulation, allowing for interpretations that may result in the development of alternative policy solutions that work for both sides
- Building ongoing relationships between parties may be an important outcome
- Hearing and accounting for each party's perspective is a necessary or desirable pre-condition before solutions are designed and implemented
- A power imbalance between parties may exist that needs to be acknowledged and addressed in order for the parties to move forward