

Wein Mediation
The dispute resolution specialists



MEDIATION GROUND RULES

- **EVERY** commercial dispute can be resolved!
- Time allowed for this mediation today _____?
- Strict confidentiality & without prejudice discussions.
- I am a lawyer - I do not advise you or judge. I am the impartial guardian of process - **you** make the decisions.
- Voluntary non-adversarial environment – for all of us. Court rules don't apply in this process - only the rules in our mediation agreement and any Act that applies.
- Adopt National Mediation Standards – www.resolution.institute
- Abide by the Civil Procedures Act (Vic) 2010 and Unified Legal Practitioner Rules
- I have disclosed any potential conflict of interest.
- Authority to make decisions – right people at table.
- I will respect & encourage your right to self determination
- Bona fide principled negotiation to get to a resolution:
 - Speak respectfully, openly and honestly to get to the truth.
 - Listen actively and engage in a meaningful dialogue.
 - Focus on interests and not positions or personal attacks.
 - Create options for a meaningful resolution and review any offers of settlement.
- There should be no fixed view of the outcome and all parties will actively listen and focus on options.
- I give no legal or financial advice or opinions - but you allow me to assist you in reality testing issues.
- Opportunity to speak and be heard by all parties.
- Hand shake oral agreements are not binding. Only a written, signed agreement that **you** write are binding.
- No obligation to sign any agreement without the opportunity of getting your own independent advice.