

Mediation

Mediation is a process in which a trained neutral person (a “mediator”) helps people in a dispute to discuss their situation and possibly reach an agreement. The mediator cannot provide legal advice or recommend terms of an agreement.

Why Mediate?

- Mediation may save time and money, reduce stress, and help you preserve or repair personal or business relationships. The mediator will help you and the other party focus on important issues and understand each other’s perspectives. In mediation, you can brainstorm different solutions that may work for you.
- Mediation is generally confidential and protects your privacy. The mediator may not discuss what happened in the mediation except in very limited circumstances.

How to Prepare for and Participate in Mediation

- Know your legal rights before mediation. Talk to your lawyer if you have one.
- Be sure you know what is at stake for you and the other party. Be prepared to discuss all important issues. Keep an open mind.
- The mediator should not give legal advice, push you into settling, or recommend terms of an agreement.
- If you have a lawyer, he or she can usually participate.
- Be polite and respectful. Listen.

How Much Does Mediation Cost?

- The District Court and Court of Special Appeals’ mediation programs are free.
- The fees for Circuit Court mediation programs vary, so ask your court. If you cannot afford the fees, you may ask for the court to waive the fees.
- Private mediators set their own fees. Before proceeding to mediation, be sure you understand the fee.
- Some community mediation programs offer mediation services for free or available on a sliding scale.

Mediation Agreement

- If you reach an agreement, write down all the terms. Be specific. Include language about the consequences if a party does not follow the agreement, including timelines, who will do what, when, and how.
- The mediator may record the points of agreement reached by you and the other person. If either party has an attorney, the attorney can draft a settlement agreement. If you don’t have an attorney, consider taking the agreement to an attorney for review.
- Do not leave anything out if you believe it is important.
- Make sure you understand the whole agreement before you sign it.
- Your agreement may be incorporated into a court order or put in the court file.

For More Information

- For more information about mediation, visit mdcourts.gov/macro or peoples-law.org/mediation.
- For District Court Mediation, visit mdcourts.gov/district/adr/home.html.
- For Circuit Court Mediation, contact the court where your case will be heard.
- For Court of Special Appeals Mediation, visit mdcourts.gov/cosappeals/mediation/index.html.



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