

WHAT TYPES OF CASES CAN BE MEDIATED?

The mediation process is designed to resolve disputes which do not involve major property damage or serious bodily injury. Other agencies offer specialized services for divorce and child custody issues. Among the types of cases and issues mediated by the Community Mediation Program are:

Family/Friend: personal property, debts, harassment, assault, theft

Neighbors: harassment, trespassing, noise, animals, property damage, code violations

Landlord/Tenant: security deposits, property damage, repairs

Consumer/Merchant: poor quality service or product, faulty repairs, refunds

Builder/Property Owner: construction, home owners associations, quality of life

The Olathe Community Mediation Office will review requests for mediations to determine if the disputes are suitable for mediation through this program. Referrals to other more appropriate resources may be made pursuant to staff review.

**IN COURT, THERE'S A WINNER AND A LOSER.
THE DECISION IS MADE BY A THIRD PARTY.**

**IN MEDIATION, BOTH PARTIES ARE WINNERS
BECAUSE THEY MAKE THEIR OWN DECISIONS.
THE THIRD PARTY IS NEUTRAL.**

MEDIATION ASSISTANCE

Olathe Community Mediation Office	(913) 971-7736
Olathe Victim-Witness Coordinator	(913) 971-7726
Olathe Prosecutor's Office	(913) 971-6742

FOR FURTHER ASSISTANCE

If you have unanswered questions regarding mediation, please contact the Mediation Coordinator at (913) 971-7736.



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WHAT IS MEDIATION?

Mediation is a voluntary process for sitting down together and working through problems with the assistance of a mediator. The goal of mediation is to reach a mutually satisfactory agreement and settle the dispute. The parties decide together how they will resolve their differences.

WHO ARE THE MEDIATORS?

The mediators have completed specialized mediation training, have prior mediation experience and have been approved by the Kansas Supreme Court. The mediators are neutral and unbiased; they do not assess fault or take the side of either party. The mediators will not act as advocates, state their personal opinions or decide how to settle disagreements. The mediators assist the parties to resolve their own disputes.

HOW DOES MEDIATION WORK?

The City of Olathe Community Mediation staff will schedule a mediation session at the request of one of the parties to a dispute or on referral from another concerned party. Referrals are frequently made by relatives, neighbors, police officers, code enforcement officers, prosecutors, judges, and defense attorneys, among others.

The dispute must be suitable for mediation and both parties must agree to participate. The parties will meet in a safe, informal environment with the mediator.

Often information previously unknown to the other party is brought to the table. The mediator will listen to each side's views, help the parties identify the issues in dispute and then assist them to communicate with one another, to find realistic, workable solutions, to negotiate terms and to build an agreement. Once the parties have reached an agreement, the mediator will write the terms down for the parties to review before they sign the agreement.

WHY CHOOSE MEDIATION?

Some of the reasons parties choose mediation to resolve their disputes are:

Speed: A mediation session can be scheduled as quickly as the parties and mediator can agree on a date and time, usually within two weeks.

Cost: The City of Olathe Community Mediation Program is available without charge to all Olathe community members and to parties charged in the Olathe Municipal Court.

Confidentiality: The mediation process allows the parties to speak openly about the issues in a private setting. Kansas law provides, with some limitations, that mediations are confidential. Neither party can subpoena the mediator and nothing specific to the mediation is admissible in court proceedings without the agreement of both parties.

Satisfaction: Parties are usually happier when they solve their own problems and can control the resolution. No one else imposes decisions that are not agreeable to the parties.

Risk: There is no risk. There are no winners and no losers. If the parties are unable to reach an agreement, they are free to pursue other legal remedies.

Results: Mediation gets positive results. Depending upon the type of dispute, how early the referral is made and the commitment of the parties, nationally over 75% of mediated disputes reach an agreement. Through 2005, 99% of all mediations conducted by the Community Mediation Program reached an agreement.

Other Benefits: Early settlements can save time, money and emotional strain. By creating practical, mutually agreeable solutions, mediation helps to improve and preserve on-going relationships. Through mediation parties can build a framework for future interactions and positive resolution of problems. Successful mediations assist the city by improving neighborhoods, reducing repeat calls for police services, and removing resolvable disputes from court dockets.

ARE INTERPRETERS AVAILABLE?

Upon request, the Olathe Community Mediation Office will arrange for hearing-impaired and foreign language interpreters to provide assistance during the mediation. To request an interpreter or a Spanish language brochure, please call (913) 971-7736.