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- ◆ Agricultural and Rural Affairs
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mediatesouth

www.mayowynnebaxter.co.uk

Mayo Wynne Baxter is the trading name of Mayo Wynne Baxter LLP which is a limited liability partnership. We use the word partner to refer to a member of the LLP or an employee or consultant with equivalent standing and qualification.

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Mayo Wynne Baxter
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Who are mediate^{south}?

A group of mediators at Mayo Wynne Baxter.

mediate^{south} is a trading style of Mayo Wynne Baxter.

Commercial Mediation is an alternative way to settle disputes of all kinds. It is cost effective and avoids the stress of protracted, time consuming and expensive court disputes. The success rate for mediated disputes is over 80%.

Mediation also has the potential to achieve a settlement on terms agreeable to both parties, often with imaginative solutions. So where a dispute has arisen between organisations who wish to maintain an ongoing business relationship, mediation is the ideal way to settle such a dispute. In commercial terms, apart from cost and speed, this is one of the major advantages that mediation has over court action.

mediate^{south} has a number of accredited mediators, each of them with proven expertise in the mediation process, who will be happy to help assist and advise you.

What if a party refuses to mediate?

Court rules already encourage parties to consider ways of settling a dispute before reaching the courts. Indeed, in recent years there have been a number of

court decisions which have specifically referred to a party's refusal to mediate.

In such cases the court can refuse the winning party its costs (usually the winning party can recover many of its legal costs from the losing party). The Court of Appeal has ruled that lawyers must now routinely consider if a case might be resolved by alternatives to court action.

How much does it cost to mediate?

You will know in advance what the cost of mediation is likely to be.

These costs include the fee charged by the mediator and the incidental costs such as room hire and are payable equally by each party.

Compared with the cost of a trial the costs for a mediation are low. The **mediate^{south}** scale of charges can be found in the mediation section of our website: www.mayowynnebaxter.co.uk

Why use mediate^{south}?

We have been at the forefront of the process of mediation for a number of years and have dealt with a wide range of commercial disputes as well as professional negligence cases.

All types of dispute can be mediated

As well as having a practical, common sense approach to dispute resolution, our mediators have a good understanding of the court process.

What is the process of mediation?

Once the parties have chosen to mediate, they appoint a mediator, agree the time the mediation will take place, and the venue. The parties then provide a statement of their case prior to the mediation to enable the mediator to understand the issues in dispute. On the day of the mediation the mediator will, usually, have a meeting with all the parties together. The mediator will explain the process, after which the parties can give a summary of the dispute as they see it.

The main part of the day is taken up by the mediator talking to each party privately, shuttling between them and acting as a catalyst to help narrow the issues and ultimately facilitate an agreement.

The mediator does not judge or arbitrate. The role of the mediator is to help explore possible ways to reach a settlement with which the parties can live.

If the mediation is successful a binding agreement can be drawn up. If not, the parties are free to continue their litigation.

If the mediation fails, have the parties compromised their legal position? No, a mediation is carried out 'without prejudice'. This means that what is discussed in the mediation cannot be revealed in court. The court will only be aware that the parties have made the attempt.

Contact us

If you have a mediation in mind or want to know more about **mediate^{south}** contact us on 01273 775533, or visit our website: www.mayowynnebaxter.co.uk