



727.377.1919   **O E**   [bill@baytobaymediation.com](mailto:bill@baytobaymediation.com)  
813.480.4614   **C W**   [baytobaymediation.com](http://baytobaymediation.com)  
THE BRIDGE BETWEEN CONFLICT AND CLOSURE

# What to Expect During Mediation

Mediation provides parties with an opportunity to resolve disputes efficiently, confidentially, and with greater control over the outcome than traditional litigation.

Unlike a judge or jury, the mediator does not decide the case or impose a settlement. Instead, the mediator facilitates productive communication, encourages meaningful negotiation, and helps parties evaluate potential pathways to resolution.

## **Before Mediation Begins**

Prior to the scheduled mediation, participants will receive confirmation details, including the time, location or Zoom information, and any necessary instructions.

Attorneys should ensure that all individuals with settlement authority are available and prepared to participate.

## **Opening Session**

At the beginning of mediation, the mediator will explain the process, review confidentiality requirements, and address any questions.

Depending on the circumstances of the case, attorneys may provide brief opening statements outlining key issues, areas of agreement, and the parties' positions.

## **Private Caucuses**

Following the opening session, the mediator will typically meet privately with each party and their counsel.

These confidential meetings allow participants to discuss strengths, risks, concerns, and settlement options candidly.

Information shared during caucus sessions remains confidential unless the mediator is specifically authorized to disclose it.

## **Negotiation Process**

Throughout the mediation, the mediator works with each side to facilitate communication, evaluate risks and opportunities, and explore possible settlement structures.

The process is flexible and may involve multiple rounds of private discussions and joint sessions.

### **Settlement or Impasse**

If an agreement is reached, the essential terms will be reduced to writing and signed by the parties and counsel.

If the matter does not settle during mediation, the case simply continues through the litigation process. The parties retain all legal rights and may continue negotiations after the session concludes.

### **Post-Mediation Follow-Up**

Not every case resolves on the day of mediation. In appropriate cases, Bill remains available for reasonable follow-up discussions to help parties continue working toward resolution.

