



ATTORNEYS AS ALLIES

How you can assist your client and be a valuable ally in the mediation process:

- Demonstrate your commitment to the mediation process.
- Maintain a supportive, cooperative demeanor.
- Assist in defining the issues to be resolved.
- Encourage your client to participate actively in discussions about, and resolution of, the dispute.
- Help manage the process by asking for breaks, for opportunities to speak privately with your client, or for a private meeting with the mediators.
- Offer your client advice, guidance, and information during separate sessions.
- Assist your client to communicate by summarizing discussions or clarifying matters that are confusing, or where miscommunication is preventing constructive problem-solving or—worse—leading to increased conflict.
- Help your client remain calm while dealing with frustration over the pace of progress or feeling overwhelmed by direct confrontation with the other participant(s).
- Help your client stay focused on the issues at hand, the information presented, and options for reaching agreement.
- Act as an agent of reality, helping your client to balance and assess: 1) the risks of accepting or rejecting options, 2) the potential complications of presenting the case to a third party for decision, and 3) the time, stress, and expense of a trial.
- Encourage your client to find creative solutions that will resolve the dispute.

Mahalo nui loa!

**PLEASE NOTE: Ku'ikahi Mediation Center strives to offer a safe and neutral environment.
Thanks for serving legal documents elsewhere.**

*Adapted from: Lang, Michael (2010). "From Advocate to Advisor: The Role of the Lawyer in Mediation."
<http://www.mediate.com/articles/langlawyerrole.cfm>*