

PUBLICATIONS



"8 Tips for Successful Legal Mediation"

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In an article published in the September 2020 issue of *Risk Management*, Lane Finch provides insight on the eight tips to ensure a successful legal mediation.

Mediation is a standard part of all litigation today. Whether the court orders it or the parties agree to it, almost all cases will come before a mediator at some point.

"As a risk manager, mediation is one of the few ways in which you may be able to exercise meaningful control over a litigated claim and directly 'manage' your risk," explains Finch. "Preparing for the mediation will enhance your ability to achieve an outcome you and your company will deem successful or at least acceptable."

The following eight tips can help improve your chance of success at mediation:

1. Prepare and discuss your objectives with your lawyer.
2. Introduce the mediator to your position with a detailed letter.
3. Explain any weaknesses to the mediator.
4. Be patient. Once you arrive at the mediation, be patient—it will likely be a tedious day.
5. Accept the mediator's help. Let the mediator know what you are trying to achieve, then let them help you.
6. Focus on your endgame. While going through the mediation process, keep your endgame in mind and do not be discouraged by your opponent's position.
7. Ensure a decision-maker is present.
8. Be willing to suspend mediation and come back another day.



For more details on each of the tips for a successful legal mediation, please read the full article [here](#).

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