

MEDIATION SERVICES

Student Legal Services (SLS) offers students an alternative process for resolving disputes in a constructive, non-adversarial atmosphere. In mediation, an impartial, trained mediator meets with parties in an informal, but structured session.

Student legal services will mediate disputes under the following conditions:

- All parties to the dispute must consent to the process;
- If the dispute is subject to another established process, that process must not prohibit mediation as a means of addressing the dispute;
- SLS will mediate disputes involving an off-campus party, as long as one of the parties is a currently eligible WVU student; and
- The issue must not concern potential criminal action or violence.

The SLS staff will make every effort to match disputes with an appropriate mediator, taking into account the nature of the dispute, the cultural and contextual framework within which the dispute arose and any unique factors affecting the dispute.

SLS has made it a priority to provide a safe, neutral environment where students can come to resolve conflicts:

- With other students;
- With other members of the WVU community;
- Or with members of the community-at-large.

The SLS staff strongly urges you to call for more information if you are currently considering mediation as an option for a conflict you are facing.

ACCESSING WVU STUDENT LEGAL SERVICES

West Virginia University students can obtain free legal advice and information from the Student Legal Services Office by calling (304) 293-4897. After determining your eligibility, we will make an appointment for you with a lawyer or law clerk at the earliest possible time. Legal advice cannot be given over the phone. Our services are free to eligible students. No charges will be assessed to you at any time during or after your consultation. Our office is located on the ground floor of Elizabeth Moore Hall in Room G5. Our office hours are 8:15a.m.-4:45 p.m., Monday through Friday.

Student Legal Services

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Morgantown, WV 26506-6411
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E-mail: SLS@mail.wvu.edu
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Disclaimer

This pamphlet does not constitute legal advice, nor is it intended as a substitute for legal advice.

Student Mediation Services



Student Affairs · Office of Student Life



WHAT IS MEDIATION?

Mediation is a voluntary and private settlement process emphasizing informed decision-making and mutually acceptable agreements. Mediation provides an alternative to the win-lose approach of the adversarial legal system. It is practical, informed, highly focused on the issues to be resolved, and involves mutual problem solving.

WVU Student Legal Services (SLS) helps parties clarify their disputes, communicate clearly, determine their needs and interests, consider options for settlement, and determine fair agreements. Written agreements are prepared when appropriate or desired.

In general, mediation will be confidential. If a settlement is reached, SLS will provide the necessary paperwork to turn the agreement into a court order.

A mediator creates a safe and structured environment for parties to talk about their needs, explain their perspectives, and find solutions. A mediator is a trained expert in the process of resolving conflict. He or she is trained in the content of your dispute. In other words, you maintain control over the outcome of the case and make all decisions about what you would like to see in the future.

WHY USE MEDIATION?

As the primary stakeholder(s), you are in the best position to design a solution for the situation. Judges have inadequate time to truly understand a conflict and do not always have the tools available to design solutions that

will work for both parties. Mediation allows parties to be creative and stay in control of their conflict.

Mediation works and is effective. About 80 percent of the time, mediation helps the parties solve their disagreements. It also creates an understanding between conflicting parties a solution is not reached. The outcome is that the parties usually feel better, and learn more about one another.

FREQUENTLY ASKED QUESTIONS

How much does mediation cost?

There is no charge for SLS mediation. However, at least one of the parties must be a WVU student.

Can I choose the mediator for my case?

No, SLS assigns mediators on a case by case basis, based on the availability of mediators.

If I mediate my case, do I give up other rights?

Mediation does not require that you waive any other right you may have to litigate a dispute. If you accept mediation with SLS, SLS will not be able to represent you in that matter or a matter substantially related to the matter mediated.

How long does mediation take?

Mediation can last up to two hours, depending on the type of issue and dispute. Litigating a case can take far longer. Unlike litigation,

the mediator can coordinate with the parties' schedule.

Does the mediator make a decision about my case?

No. Mediators are not judges or arbitrators' and will not make a decision regarding your case. Mediators are there to assist you in resolving your dispute.

What should I bring to the session?

You will be contacted and given instructions on what to bring to mediation after you are selected.

What happens if I don't want to mediate?

The mediation process is voluntary. There are not penalties for deciding not to mediate. Mediation is confidential. No contact will be initiated with the other person without your permission. You may request legal assistance with SLS if you are eligible for services and if there are no conflicts of interests.

THE BENEFITS OF MEDIATION

Litigation is often costly and time-consuming. For many people, mediation provides a better solution to resolve their disputes. Mediation is a fair and efficient way to avoid unnecessary litigation. Mediation is an effective process for people in conflict to work through their issues and arrive at a mutually satisfying agreement that is confidential. No outside parties will be involved.