

Mediated
Dispute
Solutions



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Information Sheet – Civil & Commercial Mediation – The Role of your Legal Adviser

Whether an individual, a partnership, or a company, legal advice can play an important role in mediation and its ensuing success. Unless a case is clear cut, it is important to consider seeking legal advice, especially if legal proceedings are being considered.

Legal advice does not necessarily mean being tied into a lengthy, expensive, open-ended contract. Often, acting in their client's best interest, solicitors may advise on the legal aspects of a case but leave the parties to mediate on their own to avoid the additional costs of solicitors' letters or attendance, especially where the value of a case is low.

The greater the value of the dispute, the more likely the legal team will advise a hands-on approach leading the way in preparation for mediation and accompanying or representing their client at mediation.

Understanding the law, its implications and pitfalls is important. Legal advisors can help with the realities of legal action, undertaking a reality test of likely success, advise on preparation for court, consider the consequences of losing and the likely costs, win or lose.

Small claims can be managed by an individual via money claim online. Whilst there is no requirement for a legal advisor to 'go on the record,' it is something that can be considered when evaluating the case. Nevertheless, we would always advise parties to consider consulting their legal advisors or at the very least seeking help or assistance from an advisory body such as the CAB.

Before parties sign a settlement agreement, they will be specifically advised to consider consulting with their legal advisers regarding the details before signing.

As solicitors' experience of mediation varies greatly, the mediators at Mediated Dispute Solutions are available to discuss mediation and provide advice on the process. Direct contact by the legal profession is encouraged. There is no charge for this advisory service.

For further information or a no obligation discussion please contact us at:

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