

MEDIATION

We have partnered with **all five Hawaii Mediation Centers** to provide our covered employees with a **free 30-minute Intake Session** to explore the benefits of Mediation for your situation.

The most commonly mediated issues are:

- Domestic Issues (Divorce agreements and Child custody/visitation/parenting plans)
- Landlord/Tenant Issues
- Condominium and Real Estate
- Consumer / Merchant Issues
- Family and Friend Struggles
- Co-worker Issues
- Neighbor and Pet Issues
- And many others



Mediation is a confidential, informal process where a neutral third party (the mediator) can help parties in conflict:

1. Talk through your differences,
2. Explore and negotiate options in a safe environment,
3. Decide how to resolve your dispute, and
4. Craft an agreement you both can live with that is fair, realistic, and durable.

The five non-profit Mediation Centers across Hawaii we can refer you to:

The Mediation Center of the Pacific (Oahu)

Maui Mediation Services

Ku'ikahi Mediation Center (East Hawaii)

West Hawaii Mediation Center

Kauai Economic Opportunity Mediation Program

This free 30-minute intake session can help you discover whether Mediation could work for you. If you want to continue with Mediation, all five Mediation Centers offer low cost services. Successful mediation can save you thousands of dollars in attorney fees and court costs!

Call us today to obtain a free Mediation Intake Session!

Mediation Interview

Julie Mitchell is the Executive Director of Ku'ikahi Mediation Center in Hilo.

EAP: Could you do a quick overview for us about how Mediation compares with going to Court?

Julie: Here is what I like to tell people, especially when we're mediating court cases. In court, the judge decides; in mediation, the participants decide. In court, the proceedings are public; in mediation, the proceedings are private. In court, people usually feel intimidated by a formal process; in mediation, people are made to feel comfortable in an informal setting.

And even if a case does go to court, the judge may refer it to mediation anyway, with one of the state's five non-profit community mediation centers. So trying mediation first can save on court costs—like filing fees, service fees, and attorney fees—as well as time, energy, and time off work. And if the issue is not fully resolved in mediation, all other options—including legal options—remain available.

Another difference is that in court, the judge's decision is limited and bound by the rule of law; and in mediation, the participants can come up with creative solutions beyond what could be accomplished in court. For example, in mediation, the participants can create a detailed repayment plan and even negotiate the amount of money that is going to satisfy the issue. I remember one of my very first mediations was over a five thousand dollar credit card debt and both parties walked away satisfied with an agreement for a one thousand dollar payoff.



By the time cases get to court, often situations have really escalated and relationships are compromised. The simple act of filing against someone may create ill will, fear, anger, or intimidation. Trying mediation first means this escalation and perceived threat might be avoided. People in (Continued)



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Counselors are available across Hawaii.

Legal, Financial, and Eldercare Consultation is also available.



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Mediation Interview with Julie Mitchell (continued)

conflict often see each other as the problem, going head-to-head like two boxers facing off. In mediation we try to help people to focus side-by-side on the issues, so they see they have a joint problem to solve. When people sit down together and see each other's perspectives and their shared humanity, they can come up with some really creative ways to move forward, ways that neither of them could have possibly imagined (nor could the mediators have imagined) before the mediation session.



EAP: Because of the Coronavirus, we're seeing a huge increase in housing challenges. Can Mediation help with Landlord-Tenant issues?

Julie: In the housing arena, there are many different ways that people can come up with solutions. We have seen housing solutions like work trades in lieu of rent or cash-for-keys in lieu of foreclosure. Due to the pandemic and economic downturn, many people are stressed about rent accruing during eviction moratoriums.



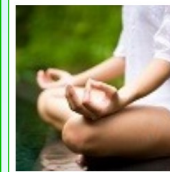
One recent example of a landlord-tenant mediation case was a landlord who came to our office in despair. They were on a fixed income and depended on the previously reliable funds from their long-term tenant. Rent had not been paid for many months due to COVID-related difficulties. The landlord did a brief intake over the phone with our case manager, who then called the tenant to offer

mediation services and helpful resources. Not only did we explain to the tenant what mediation was, we gave them reassurances that the landlord valued the tenant and wanted to keep them housed. The next week, the tenant attempted to get caught up on rent and discussed directly with the landlord a clear plan for the future. In this situation, we didn't even have a facilitated mediation session. Our neutral third party case manager bridged the communication gap, allowing both landlord and tenant to acknowledge that these were challenging times, and then express care directly to each other. Dignity, respect, and relationship were preserved for both clients.



Articles On Our Website

Did you know about all the resources available to you from your EAP's website? Here are a few examples:



DEVELOPING RESILIENCY

Imagine the last upsetting event that you experienced. What was your reaction to it?

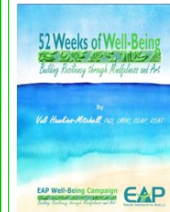
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50 IDEAS FOR SELF-CARE

If you just need some good old fashioned self-care (and who doesn't?)...here is a list of great ideas.

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(If this is a pdf you may be able to click the links to each article above!)

Check out your EAP's website at

www.EAPacific.com

Or your PAP website at www.HawaiiPAP.com

Please note that mediation services are available to most, but not all, EAP customers. Call us if you have a question.

EAP and PAP provide short-term confidential counseling and work/life services, provided to you by your employer, that can assist in identifying and resolving issues that may be interfering with your job or personal life. Access to our experienced counselors and work/life services is available across the Islands and can be contacted by phoning or emailing our Honolulu office.



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