



MEDIATION POLICY

THE LAW SOCIETY OF
NORTHERN IRELAND



MEDIATION POLICY

Introduction

Mediation is an effective and flexible tool to facilitate dispute resolution, which in turn can result in high value solutions. The Law Society of Northern Ireland supports and promotes participation in mediation as one of the means of resolving disputes.

The Law Society considers solicitors to be especially well placed to act as mediators due to their practical and legal expertise gained as lawyers and business owners.

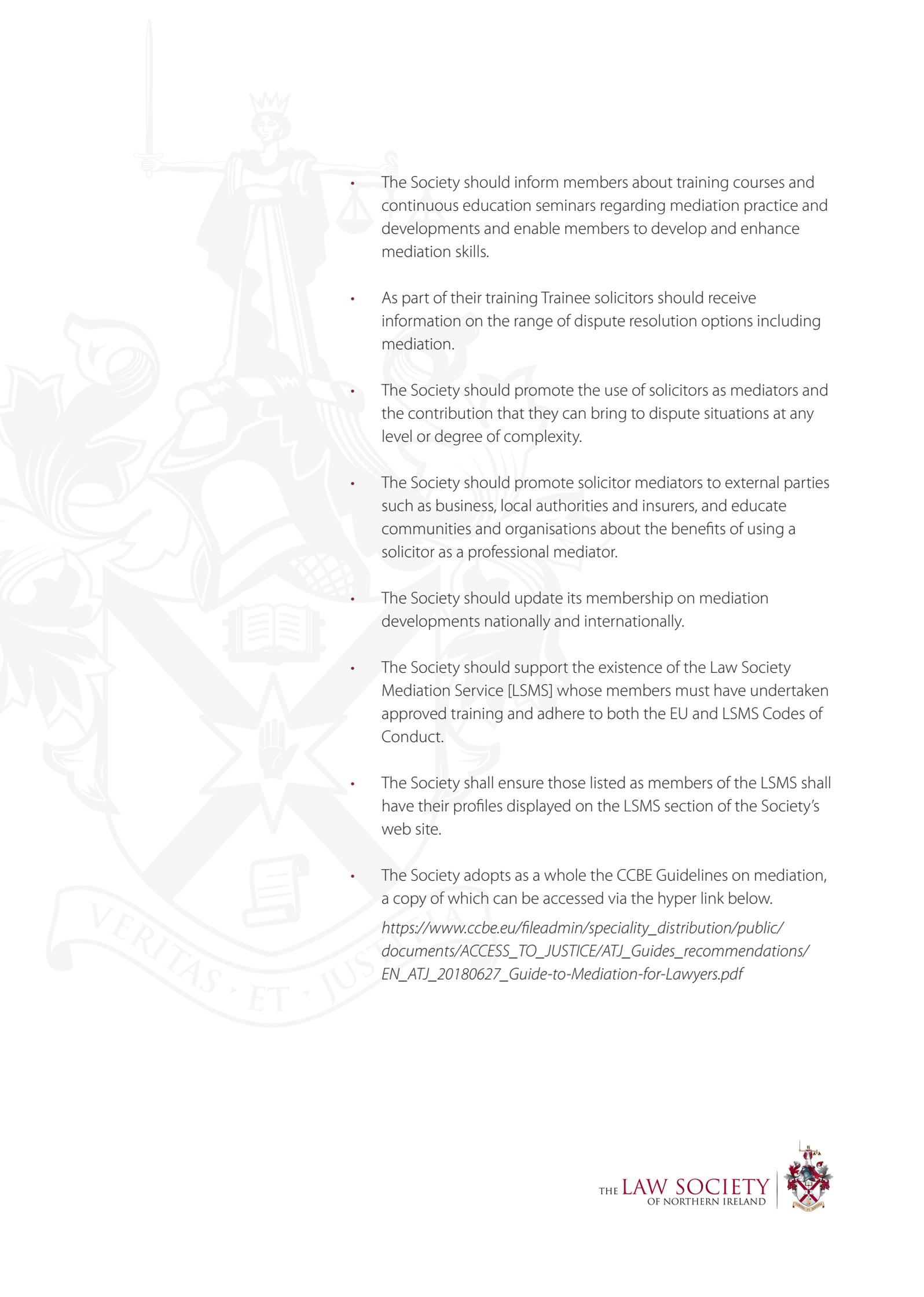
This Policy sets out guidance for members with respect to mediation and the benefits that can result from using mediation in contentious matters.

Engaging in mediation can result in an effective solution to resolve difficulties in a confidential setting.

Policy

- Members must always act in the best interests of their clients. This includes ensuring that all appropriate options have been considered when advice is given on resolving a dispute.
- Members should inform their clients of the options available to resolve disputes and in particular the merits of mediation including the fact it is voluntary, confidential, non-judgmental and impartial.
- Members should provide information to clients about potential mediators and their training, experience and costs and should promote and encourage the use of fellow solicitors as mediators.
- Members are encouraged to propose the use of mediation clauses when drawing up contracts for their clients.



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- The Society should inform members about training courses and continuous education seminars regarding mediation practice and developments and enable members to develop and enhance mediation skills.
 - As part of their training Trainee solicitors should receive information on the range of dispute resolution options including mediation.
 - The Society should promote the use of solicitors as mediators and the contribution that they can bring to dispute situations at any level or degree of complexity.
 - The Society should promote solicitor mediators to external parties such as business, local authorities and insurers, and educate communities and organisations about the benefits of using a solicitor as a professional mediator.
 - The Society should update its membership on mediation developments nationally and internationally.
 - The Society should support the existence of the Law Society Mediation Service [LSMS] whose members must have undertaken approved training and adhere to both the EU and LSMS Codes of Conduct.
 - The Society shall ensure those listed as members of the LSMS shall have their profiles displayed on the LSMS section of the Society's web site.
 - The Society adopts as a whole the CCBE Guidelines on mediation, a copy of which can be accessed via the hyper link below.
https://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/ACCESS_TO_JUSTICE/ATJ_Guides_recommendations/EN_ATJ_20180627_Guide-to-Mediation-for-Lawyers.pdf





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