

## Mediation Services

If you have a case in the State Courts, there is a range of mediation services that you may use to resolve your dispute.

### Small claims

The Small Claims Tribunals (SCT) were set up to provide a quick and inexpensive forum to resolve small claims, without the use of lawyers. In general, the SCT deals with claims that are less than \$10,000. If you have filed a claim here, you will be asked to attend a mediation session in the SCT. Please refer to [www.statecourts.gov.sg](http://www.statecourts.gov.sg) (Filing a claim at the Small Claims Tribunals) for more information.

### Civil suits

If you have filed a writ of summons or originating summons in the State Courts, or you have been served such a document by another person, you may consider the following:

#### Mediation in the State Courts Centre for Dispute Resolution

The mediators in this Centre are State Courts Judges who have been specially appointed and trained in mediation, and court volunteers who are trained and accredited by the State Courts and Singapore Mediation Centre.

A mediation session will usually take one morning or afternoon. To request a mediation session, please consult your lawyer or refer to [www.statecourts.gov.sg](http://www.statecourts.gov.sg) (Interested in mediation/ADR).

#### Mediation in the Singapore Mediation Centre

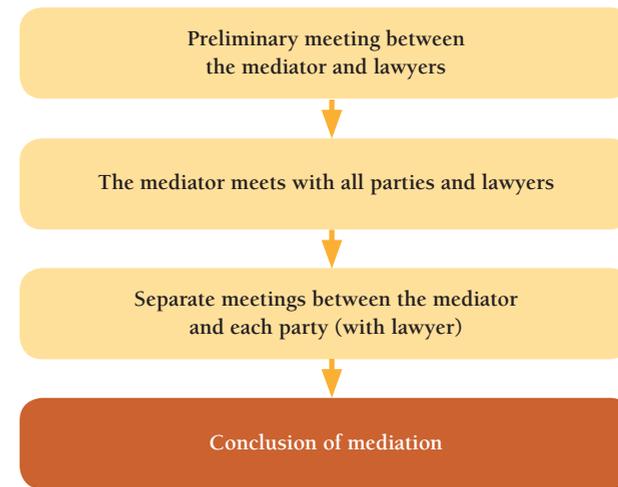
The Singapore Mediation Centre (SMC) offers a range of mediation services for different disputes. Please refer to [www.mediation.com.sg](http://www.mediation.com.sg) or contact the SMC for more information.

### Relational disputes

The State Courts may refer you to mediation in the State Courts Centre for Dispute Resolution in other relational disputes, including Magistrate's Complaints or applications under the Protection from Harassment Act.

## What happens during a mediation session?

A typical mediation has the following stages:



#### Preliminary meeting

The lawyers usually brief the mediator on the facts of the dispute and the issues to be discussed during the mediation session. You and the other party need not be present in the mediation chamber during this time.

#### Joint meeting with all parties and lawyers present

The mediator will introduce you and the other party to the mediation process. Each of you will have the chance to speak about the dispute, and the mediator will facilitate a discussion on the issues.

#### Separate meetings

If necessary, the mediator will hold separate meetings with either you or the other party, together with your respective lawyers. This is a time to discuss further matters and concerns with the mediator, and to explore possible solution. What you have shared with the mediator will not be disclosed to the other party unless you allow the mediator to do so. There may be several of such meetings, depending on the circumstances of each dispute.

#### Conclusion of mediation

Once you and the other party have reached an agreement, everyone will meet the mediator together with your lawyers to review and confirm the terms of your settlement. These terms will be recorded before a Judge.

*If you have a mediation session scheduled for your case, please refer to the brochure "Preparing for Mediation" or [www.statecourts.gov.sg](http://www.statecourts.gov.sg) (Interested in mediation/ADR).*



#### Disclaimer:

*This publication is produced for general information only and is not intended as substitution for legal advice. A lawyer should be consulted should you require legal advice on your case. The State Courts disclaim any and all liabilities arising from and in connection with the contents of this publication.*

#### State Courts

1 Havelock Square  
Singapore 059724  
Tel: 1800-JUSTICE (1800-5878423)  
[www.statecourts.gov.sg](http://www.statecourts.gov.sg)

# State Courts Centre for Dispute Resolution

**Mediation**

**Quick resolution**

**Alternative  
dispute  
resolution**

**Confidential**

Mutual agreement

Settlement

## Mediation

- What is mediation?
- How is mediation different from a trial?
- What are the benefits of mediation?
- When is mediation appropriate?
- Mediation services
- What happens during a mediation session?

# Mediation

## What is mediation?

Mediation is a way of resolving a dispute without going for a trial in Court.

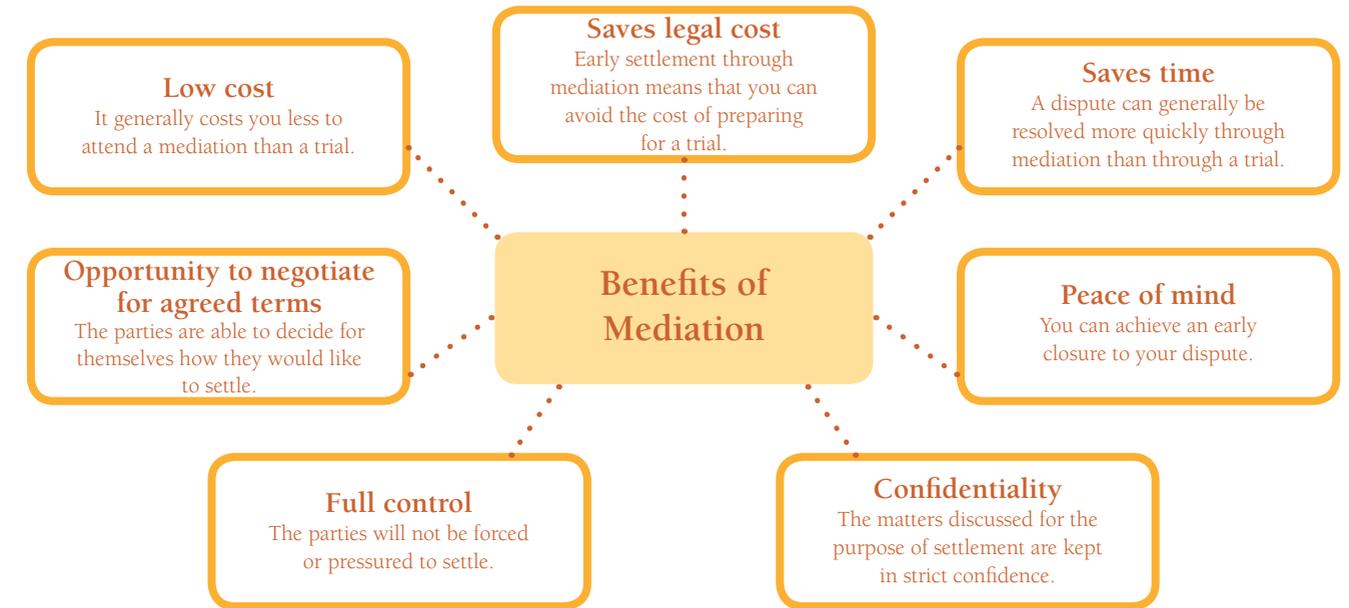
Mediation is a flexible process in which a neutral mediator facilitates the parties' settlement negotiations to help them reach their own solution. The focus of mediation is on finding solutions that will meet the parties' concerns. The mediator will not make a decision concerning who is at fault in the dispute.

*Apart from mediation, there are other ways to resolve your dispute without going for a trial in Court. For more information, please refer to [www.statecourts.gov.sg](http://www.statecourts.gov.sg) (Interested in mediation/ADR).*

## How is mediation different from a trial?

FACTORS	MEDIATION	TRIAL
<b>Control over outcome</b>	The mediator will not make a judgment or determine who is at fault in your dispute. The mediator will focus on helping you and the other party find solutions that will meet your concerns and needs.  <b>You and the other party are the ones who will decide</b> whether to settle your dispute, and the details of your settlement.	You give up control to a Judge in a trial who will listen to the evidence and make a decision that binds you.
<b>Confidentiality</b>	The discussions between all the parties during a mediation session will remain <b>private and confidential</b> . If you and the other party reach a settlement, you may also decide to keep the details of what you have agreed to confidential.  If there is no settlement and the case proceeds to trial, the trial will be held before a different Judge.	Court hearings are <b>open to the public</b> .
<b>Without prejudice</b>	The discussions during a mediation session are <b>“without prejudice”</b> , that is, what is said by you or the other party will not be used against you as evidence if your case proceeds to trial.	Everything you say in a court hearing is evidence and may be used against you.
<b>Flexibility</b>	The mediation process is <b>flexible and more informal</b> .	A court trial is <b>formal</b> .
<b>Cost</b>	Settling your dispute through mediation will generally be <b>less costly</b> as you will be spending less time to resolve the dispute, and will save on legal fees that would have been spent on a trial (for civil cases).	Court hearing fees are charged after the first day of trial.  Apart from court hearing fees, you would have to pay legal fees for preparing and going for a trial.

## What are the benefits of mediation?



## When is mediation appropriate?

Every dispute differs in character, and you have to consider whether your dispute is suitable for mediation.

### Mediation may be appropriate for you when:

- ✎ You want a **quick end to the dispute**.
- ✎ You want to **save legal costs**.
- ✎ You want to **save or maintain your relationship with the other party**.
- ✎ You want to **avoid publicity** or to maintain confidentiality.
- ✎ **The law does not provide a solution that meets your real concerns**. For instance, you may file a suit for defamation, but you may really be seeking an apology which cannot be ordered by the Court in a trial.
- ✎ You want a **business-driven or creative solution** to your dispute.
- ✎ **Communication difficulties** appear to be a major obstacle to resolving your dispute.

### However, mediation may not be appropriate for you when:

- ✎ You need the **Court's decision on a legal issue**. For instance, a company may need a court decision concerning how to interpret a clause in its standard contract.
- ✎ Your key representative or decision maker is **not willing to participate in mediation**.
- ✎ A party **may not be attempting mediation in good faith**. For instance, the other party is seeking to gather more information to use at trial without genuinely intending to explore a settlement.
- ✎ You want **public attention to be drawn to the dispute**.