HAWAI'I CIVIL RIGHTS COMMISSION (HCRC)
MEDIATION PROGRAM

10 QUESTIONS AND ANSWERS

1. ***What Is Mediation?***

Mediation is an informal and voluntary process in which a trained mediator(s) assists the parties to reach a settlement. The mediator does not decide who is right or wrong and has no authority to impose a settlement on the parties.

2. ***How do the Parties Access Mediation?***

The parties should submit a signed Mediation Option Form and choose either a center of the Mediation Centers of Hawai'i (MCH) or private mediation. Mediation is available at any stage of the HCRC process.

3. ***Does HCRC do the Mediations?***

No. Cases are referred by the HCRC mediation coordinator to a mediation provider. HCRC's mediation provider is the MCH, which consists of 5 non-profit centers in Honolulu, Hilo, West Hawai'i, Maui, and Kauai. The parties may also agree to choose and pay a private mediator.

4. ***Who are the Mediators?***

The mediators at MCH are highly trained volunteers who come from a broad variety of backgrounds. Many mediators are also attorneys. In most instances, MCH assigns two co-mediators, male and female, in a case. Parties are not allowed to choose their MCH mediators.

5. ***What is the Cost?***

Fees vary among the centers, but are generally determined on a sliding scale. MCH fees are considerably less than those charged in private mediation. No fees are paid by or to HCRC.

6. ***Is there a time limit for Mediation?***

Yes. There is a 60-day time limit for completion of the mediation. The coordinator may extend the time limit. The investigation is suspended during the mediation.

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7. ***How does the Mediation Process Work?***

Mediations are confidential. If the parties reach an agreement in mediation, the mediators will help put the terms of the settlement into writing at the session. After the parties sign the settlement agreement, the HCRC will dismiss the complaint and the agreement is enforceable between the parties. If there is no agreement, the case is returned to HCRC.

8. **Can My Attorney or Advocate Participate in the Mediation?**

Attorneys and other representatives may be present and participate in the session, if the mediators consent. All centers have teleconferencing capability and most have video conferencing ability. There is no extra charge for these services

9. ***How Successful is the Program?***

The majority of cases referred to mediation are settled.

10. ***How Can I Get More Information?***

For further information contact the HCRC mediation coordinator at 586-8636. You may also view the HCRC website (*www.hawaii.gov/labor/hcrc)*. If you have any questions regarding a particular center, call the following numbers.

1) Mediation Center of the Pacific (521-6767);
2) Mediation Services of Maui (808-244-5744);
3) Ku'ikahi Mediation Center (Hilo) (808-935-7844);
4) West Hawai'i Mediation Center (808-885-5525); and
5) Kauai Mediation Program (808-245-4077).

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