

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 experienced mediator(s) trained by HCRC assists the parties to reach a settlement. The mediator does not decide who is right and has no authority to impose a settlement on the parties.

2. How do 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 a private mediation.

3. Does HCRC do the Mediations?

Most cases are referred by the HCRC mediation coordinator to a mediation provider. HCRC's mediation provider is the MCH, which consists of five non-profit centers in Honolulu, Hilo, Hawaii, Maui and Kauai. The parties may also agree to choose and pay a private mediator. However, cases involving allegations of discrimination in housing are mediated by the HCRC. There is no fee for these mediations.

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. HCRC provides additional training to prepare them to handle cases forwarded by HCRC. In most instances, MCH assigns two co-mediators, male and female in a case. Parties are not allowed to choose their MCH mediators. In private mediation, the parties jointly select a mediator.

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.

7. How Does the Mediation Process Work?

Mediations are confidential. If the parties reach an agreement in mediation, the mediators will help with putting the terms of the settlement into writing at the session. After the parties sign the settlement agreement, they will receive a copy of the 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 and the investigation process begins.

8. Can my Attorney or Advocate Participate in the Mediation?

Attorneys may participate in mediation but are not required. Advocates 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. If you have any questions regarding a particular center, call the following numbers.

The Mediation Center of the Pacific	(808) 521-6767	https://www.mediatehawaii.org/
Maui Mediation Services	(808) 244-5744	https://www.mauimmediation.org/
Ku'ikahi Mediation Center (Hilo)	(808) 935-7844	https://hawaiimmediation.org/
West Hawai'i Mediation Center	(808) 885-5525 or 326-2666	https://whmediation.org/
Kauai Economic Opportunity Mediation Services	(808) 245-4077 ext. 234	Email keo@keoinc.org