

Mediation Location and Amenities

Mediations outside of Austin: Mediations may be held anywhere in the United States or abroad convenient to counsel and the parties. The great majority of my mediations are outside of my home city of Austin. In the U.S., in 2016 alone, I mediated in cities stretching from New York to LA. If a suitable location is not agreed to in your chosen city, I can assist you in finding one. I have regular access to facilities particularly in Houston and Dallas.

Mediations in Austin: If you prefer to mediate in Austin, I use facilities less than 30 minutes from the Austin airport, which has non-stop flights from over 50 cities in US, Canada, Mexico, and Europe.

Amenities: All mediations will have Wi-Fi and other amenities conducive to an efficient and comfortable mediation setting. Lunch is provided for full-day mediations. Please let me know of any other needs you have.

Hours

Unless otherwise agreed, mediations will begin promptly at 9 a.m. We will try to end by 6 p.m., but sessions going into the early evening are included in your fee.

Legal Issues About the Mediation

Role of Court. Please let me know of any court order affecting the mediation. If you need a form order appointing me as a mediator, let me know. After the mediation, I do not communicate with the court, unless all parties agree or a court directs. In all instances, communication is limited solely to whether a case settled.

Role of Mediator. I subscribe to standard practices and ethics rules for mediators and mediations. You also are agreeing that I am not providing you or your client with legal advice and I am not counsel for any party. While I do not always require a formal mediation agreement, if you'd like a form for a standard one, please let me know.

Documents. All documents provided in connection with a mediation will be destroyed shortly after the conclusion of a successful mediation session, or 6 months after an unsuccessful one, unless one of the parties requests otherwise.

Conflicts. As a mediator, I am not counsel for any party. My only goal is to help the parties settle and I am the sole owner of Van Osselaer Dispute Resolution PLLC.

Before the Mediation

Pre-Mediation Submissions: Please provide me with a pre-mediation statement, at one week before the mediation session, unless our confirmation calls for an earlier date due to the nature of the case and volume of materials. While it is not required, I encourage counsel to consider exchanging some or all of their submissions by agreement, sending me just parts which should remain confidential. That can be helpful particularly in early-stage mediations. The content of what you send me is up to you. More is not necessarily better, but please give me necessary background and identify key issues or documents, so that I can hit the ground running. Please also include the names of persons attending, the status of the case and nature of any prior settlement discussions. Some attorneys send me dispositive motions, which are helpful where legal issues dominate. I've even been invited to attend summary judgment hearings, where a court intended to take the motion under advisement. Feel free to be creative.

Pre-Mediation Calls: In most cases, you should anticipate a call from me before the session to discuss issues and to learn about your case and to solicit your views on how I can best do my job.

Persons in Attendance

All parties or their representatives must attend in person and be fully capable of making decisions.

Other Information

You may also be interested in a guest blog I wrote, entitled "*Effective Strategies for Mediating Coverage Disputes*" [[link](#)], appearing in Kluwer Publishing's prestigious Mediation Blog. I also welcome the parties' calls and suggestions on how to make the mediation process work best for your dispute.