

Kluwer Mediation Blog

Update From The Commercial Mediation Group: Taking Matters Forward

Katie Bradford (Linklaters LLP) · Friday, February 8th, 2013

You may have seen a post on 17 April 2012 exploring the thinking behind the Commercial Mediation Group, an affiliation that aims to give a voice to the users of commercial mediation services. The post explained what the CMG had been up to since its inception and communicated the results of a survey on topical mediation issues.

Since then, the CMG has been active in a number of areas and continues to generate considerable interest and support from the mediation community. This post gives a brief update on recent months.

Mediation speed dating

On 19 September 2012 Linklaters on behalf of the Commercial Mediation Group hosted a “mediation speed dating” event, giving litigators and mediators the opportunity to discuss issues relating to mediation in a relaxed yet professional format. Attendees included top tier mediators, as listed in the Legal 500 and Chambers directories, with commercial litigators from 16 member firms of the CMG accepting the invitation to attend. Litigators had an opportunity to chat with mediators on a one-to-one basis in 8 minute sessions, asking questions about their experience, approach to mediation, topical issues and any other areas of interest. After 8 minutes, the litigators rotated to their next “date” and the process continued. Litigators were able to meet with 8 mediators during the formal part of the evening, with the conversation continuing at an informal reception afterwards. In total, litigators had an opportunity to get to know 19 mediators.

The structure of the evening was designed to allow Commercial Mediation Group members to have a focussed conversation with mediators with whom they were less familiar. Discussions between CMG members had indicated that most firms know and instruct around 3 to 6 mediators but would like to spread that knowledge further, allowing them to accommodate suggestions from opposing parties and better deal with conflict issues or delays caused by relying on only a small pool of familiar mediators.

Feedback from participants was very positive and the CMG has received a number of requests to host similar events going forward. There is also an appetite for a larger project to be launched from this event. All invited mediators were asked to provide CVs, which were made available to litigators on the night. It is hoped that this exercise will form the basis for creating an electronic database of mediator CVs, as well as feedback on mediator performance, for use by CMG members via a secure website.

CEDR award and Civil Mediation Council

We are very pleased that the Commercial Mediation Group was selected as the joint winner of CEDR's Biennial Award in the category of ADR and Civil Justice Innovation in November 2012. The basis for the CMG's nomination was its "demonstration of pragmatic thinking" and the "extremely positive impression" that the CMG has made since its inception. As founder of the CMG, Katie Bradford was delighted to accept the award and the CMG is honoured to receive such prestigious recognition for the CMG. Shortly afterwards, Katie Bradford was elected onto the Civil Mediation Council, on the basis of her election address to represent CMG members and their interests.

Linklaters is proud as a firm to look back on the year since our launch of CMG, in which its success in establishing a profile and voice for users of commercial mediation, has been recognised in the mediation community. We look forward to 2013 where many further events are planned, together with policy research on current mediation topics.

We will write again soon to provide further updates on the CMG's activities. In the meantime, if you would like to receive further information about the CMG, or if your firm would like to get involved please do get in touch, directly with Katie or the Group's email.

Katie Bradford, Partner (katie.bradford@linklaters.com) Commercial Litigation, Linklaters LLP for the Commercial Mediation Group (CommercialLitigationGroup@linklaters.com)

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