

# Mediation Process vs Litigation

Mediation	Adversarial/Litigation
Private	Public
Unstructured & Informal	Procedural & Formal
Voluntary	Coercive
Confidential	Public
Emphasis on Agreement	Emphasis on Conflict
Win/Win	Win/Lose
Compromise Oriented	Decision Oriented
Person Oriented	Rule Oriented
Direct Participation	Representation by Counsel
Peer Guidance	Professional Guidance
Collaborative	Confrontational
Low Cost	Expensive
Rapid	Lengthy
Interests Centered	Position Centered
Empathic	Hostile
Parties Control	Process Control
Creative Solutions	Law Solutions
Few Enforcement Problems	Many Enforcement Problems