

Mediation Centers

Oahu: Mediation Center of the Pacific
680 Iwilei St. Suite 530
Honolulu, HI 96817
Tracey Wiltgen, Executive Director
Ph: 521-6767
Fax: 538-1454

Kauai: Kauai Mediation Program
2804 Weke Road
Lihue, HI 96766
Jesse Basquez, Executive Director
Ph: 245-4077
Fax: 245-7476

Maui: Mediation Services of Maui
95 Mahalani St.
Wailuku, HI 96793
Kim Compoc, Executive Director
Ph: 244-5744
Fax: 249-0905 or 242-8444

Molokai: Mediation Center
Kaunakakai, HI 96748
Claud Sutcliffe, Executive Director
Ph: 553-3844
Fax: 553-8014

Hawaii: West Hawaii Mediation Services
65-1279 Kawaihae Road
Kamuela, HI 96743
Franco Acquero, Executive Director
Ph: 885-5525
Fax: 887-0525

Ku'ikahi Mediation Center
614 Kilauea Avenue, Suite 5A
Hilo, HI 96720
Dorothee Auldridge, Executive Director
Ph: 935-7844
Fax: 961-9727

Commonly Asked Questions & Answers

Mediation



Special Education Section
Office of Curriculum, Instruction & Student Support
Special Education Services Branch
Department of Education • State of Hawaii
January 2004

What is mediation?

Mediation is a voluntary, confidential process where a neutral third-party (the mediator), helps parties come together to talk and decide how to resolve their dispute. The mediator does not take sides or make decisions. The mediator enables and empowers the parties to reach an agreement amicably. Mediation may not be used to deny or delay a parent's right to a due process hearing.

How does mediation work?

Before the mediation starts, you will be asked to read and sign an Agreement to Mediate. By signing the agreement, you agree the mediation is confidential and that you will mediate in good faith. You are also agreeing to comply with the rules governing the mediation session.

At the mediation, the mediator will give both parties an opportunity to express their point of view in a safe, comfortable environment. In most cases, the parties and the mediator will initially be in the same room. At different times throughout the mediation process, the mediator will meet with each party privately while the other party waits outside. The private meetings allow the parties to share "sensitive" information with the mediator and come up with and "test" possible solutions and ideas with the mediator, before presenting them to the other party.

The mediator will try to help the disputing parties reach an agreement that is fair and acceptable to both parties. The mediator serves as a guide for the process while the parties create the agreement.

Should I bring an attorney or advocate to the mediation?

Usually only the disputing parties and the mediator are present at the mediation session to encourage conversation between the parties themselves and minimize the adversarial nature of the

dispute. If an agreement is reached and put in writing, you can take the agreement to your attorney or advocate for review before signing the agreement. You may also contact your attorney or advocate, via telephone, at any time during the mediation.

If you would like your attorney or advocate to attend the mediation, then you should contact the Case Manager prior to your scheduled session.

Should I bring witnesses to support my case?

No. There are no witnesses or judges at a mediation session. Generally, only the disputing parties and the mediator are present at the mediation. The purpose of the mediation is not to determine who is right or wrong. Instead, the purpose is for the parties to talk with each other and to work out a mutually acceptable agreement to settle the dispute.

May I bring a family member or friend to the mediation?

Again, only the disputing parties (e.g. both parents, service providers, principals, DOE representatives who have the authority to make the decisions, etc.), and the mediator attend the mediation session. If you would like a friend or an additional family member to accompany you to the mediation for support, they will be asked to sit in the waiting area while you are in the mediation room.

Where and when will the mediation occur?

The Case Manager will contact you to schedule the mediation and assign a mediator to the case. All mediators are trained and qualified, impartial mediators and are assigned on a random basis. Most mediations take place at a Mediation Center. However, if the center is not convenient, the parties may agree to an alternate setting. Additional mediation sessions may be scheduled if you are unable to resolve the dispute in one session and are making progress toward an agreement.