

In Preparation for Mediation

Our mediation process is designed to help consumers and businesses communicate and work toward a fair resolution without going to court. Mediation is voluntary, and while we cannot require a business to respond, we make every effort to engage them on your behalf.

- A trained, neutral mediator will be assigned to your case when they are available; we assign cases in the order in which they are received. There may be delays in assigning a complaint to a mediator and in the mediation process itself. While mediators strive to respond to inquiries in a timely manner, there are times when you may need to wait to hear back from your mediator.
- The mediator is not a judge or attorney and cannot provide legal advice or make legal determinations. Their role is to help both sides understand each other's viewpoints and explore possible resolutions.
- To help the process run smoothly, please provide any updated documents promptly, include your case number on anything you send to us, and notify us if your contact information changes.
- Consider specific outcomes you would accept to resolve the problem. We mediate for actual damages, and cannot mediate requests for pain and suffering, inconvenience, or punitive damages. Please also note that our office does not begin mediation if there is another agency actively involved in the matter, nor can we mediate if either party has filed a lawsuit concerning the same issue.
- Our mediation process takes place through written correspondence and phone calls, not in person, so there will not be a hearing. Your mediator will contact you when we are ready to begin mediation. After confirming any updates and the resolution you are seeking, we will send the business a letter, along with the documentation you provided when the complaint was filed. We will request that the business provide a written response within two weeks. Once your mediator receives a response, we will share a copy with you for your thoughts and input. You will receive mailed copies of all correspondence.
- It is important to approach mediation calmly and focus on resolution rather than winning. It is necessary to mediate in good faith. This means being transparent, reasonable, and respectful with everyone involved.

- Mediation is most successful when the parties set aside their emotions throughout the process. It is important to focus on working toward a resolution rather than concentrating on what has already happened.
- If we do not reach a resolution in mediation, you may have other options. Your mediator may discuss making an offer to arbitrate through our office to the business. You may be able to file a lawsuit, and you may wish to speak with a private attorney. We cannot act as your lawyer, review contracts for legal advice, or bring criminal charges. If you believe a crime occurred, please contact local law enforcement.
- Decisions to investigate a business are made solely by our Enforcement Unit, which reviews the complaints we receive for patterns of legal violations. Investigations are confidential and we cannot confirm or deny the existence of any investigation. Information regarding an investigation and/or enforcement action will only be announced if a public action is taken, such as charges being filed or a settlement being reached.
- Even if we aren't able to directly resolve your specific complaint, we appreciate you sharing your experience with our office. Hearing from consumers like you helps our office monitor unfair or deceptive business practices, set priorities for enforcement efforts, and make recommendations for changes to the law.