

The Mediation Diversification Project Launch CLE

June 5, 2020 via Zoom

General Advice for Starting a Mediation Practice:

Unless you are very well known (e.g. a judge) or very lucky, it will take time to build your practice. You can't begin as a mediator and expect a flood of work. Mediation is a 'word of mouth' practice (unless you are a government mediator), so your practice will probably grow slowly.

1. Get training, experience, references.
2. The hardest piece to get is the experience. The hardest mediations to get are the first five, then the next five. It gets easier from there. Be prepared to start out with co-mediations, observations, and pro bono mediations to get those first few. Get references along the way from anyone who liked you, ideally in writing (you may need them for roster applications).
3. Look close to home for the experience. Your initial opportunities are likely to come from people who know you, fields that you are known in, and organizations that employ or work with you etc.
4. Finding a niche may help. It doesn't even have to be what you do. Build on the opportunities you get to build a pipeline of work.
5. Join organizations that can give you information, contacts, co-mediation opportunities, etc.
6. Find mentors within the mediation community, if you can, to help you grow and to find opportunities.
7. Market yourself with a website, business cards, give talks where you can, etc.
8. Don't be afraid to advertise in bar publications. Don't be afraid to tell your friends and colleagues what you are doing and explain that you might be available pro bono or low bono to help with the right cases.
9. Create a mediation CV and a mediation one-page bio for use with clients.
10. Get sufficient mediation insurance.

Resources and Training Opportunities:

The Alternative Dispute Resolution Section of the Oregon State Bar (CLEs and listserv)

The Oregon Mediation Association

Oregon Association of Collaborative Professionals

FINRA may offer trainings for securities and business dispute mediation

Clackamas County (not lawyer-specific)

City of Beaverton (not lawyer-specific)

Washington County (not lawyer-specific)

Community Solutions of Central Oregon (not lawyer specific)

Portland Community College

Oregon Patient Safety Commission

Volunteer Opportunities:

The Oregon State Bar uses volunteer mediators to resolve attorney fee disputes

Multnomah County Small Claims Court mediation program

Mediation Panels:

United States District Court for the District of Oregon

Oregon Judicial Department Court-Connected Mediation List for Circuit Courts

Oregon Court of Appeals Mediation List

DHS Open Adoption Mediation List

FINRA