

FACT SHEET

Assisted Settlement

NHD Disputes



This process is to be considered as a possibility for those neighbourhood issues where:

- One party is unable to travel to CRS for mediation
- One or both parties need to think about any proposals for a certain amount of time e.g. 24 hours
- One party will want to consult with others or do some research before making a decision
- One party has a disability or is elderly that might make all of the above relevant
- There are urgent issues requiring an immediate resolution

PROCESS OF AN ASSISTED SETTLEMENT

1. Each party to the dispute makes a list of things that require resolution.
2. Parties will be asked to consider one issue at a time.
3. Each party will make proposals or requests to fit each issue, one issue at a time e.g. could you please ask your visitors to not park in my driveway or, as you do shift work, I will not mow the lawn until after 3 pm on Saturdays.
4. Proposals needs to be simply stated and mutual if possible, e.g. to help reduce noise, we will close doors quietly, being mindful of each other.
5. Parties are to respond within the agreed time frame.
6. Parties are asked to make short responses. "Yes, we could do that", "No, but I would be willing to agree to..." or, "I would like to think about that, I will respond by tomorrow afternoon [or as quickly as possible]" are also good responses.
7. Ask questions about proposals if you don't understand or if there aren't enough details.
8. CRS will only pass on messages that are polite and respectful in tone.
9. CRS will try to generate an agreement on how any future issues might be resolved e.g. we agree to advise each other of any minor conflict, caused by the other person, by putting a note in the mail box with a brief message such as 'I have been hearing you talk on the phone, would you be able to speak more quietly when it is late at night?' or 'I heard you shut the door at 11:35 pm last night so could you please shut your doors more quietly after 9pm?'
10. Any agreements are to be written up on the Outcome Statement after confirmation of the wording. The Outcome Statement is to be sent to both parties at the conclusion of the negotiations.

