
MEDIATION IN PRACTICE AND IN THEORY STUDENT RESOURCE

Directions

Go to the [Supreme Court of Western Australia website](#) and follow these instructions: Click on *Court Procedure* → Under *Court Procedure* tab click on *Mediation* → Scroll to the bottom of the *Mediation* page and click on the *Consolidated Practice Directions PDF* → Read section 4.2.1 *The Supreme Court Mediation Programme* (p.61-69) and complete the following.

Read the statements below about mediation in the Supreme Court and mark each one True or False.

1. Mediation is a compulsory part of the Supreme Court's case management process and every matter must go to mediation. True / False
2. Supreme Court matters may be mediated by a Supreme Court registrar, a Supreme Court judge or a private mediator. True / False
3. Mediation takes place at a particular stage of the case management process. True / False
4. When a matter goes to mediation it is always the Plaintiff that is required to pay the mediation listing fee. True / False
5. Mediation of Supreme Court matters via teleconference is permitted. True / False
6. Only the parties involved in the dispute and their legal representatives are able to attend the mediation conference. True / False
7. The lawyer's role at a mediation conference is not to advocate on behalf of their client but to support and advise the party. True / False
8. The parties involved in disputes in the jurisdiction of the Supreme Court Appeals Division are also encouraged to participate in a mediation conference. True / False
9. Supreme Court Appeals Division mediation conferences are carried out in exactly the same way as civil case mediation conferences. True / False
10. Create your own True/False statement based on what you have read about the Supreme Court mediation programme. Ensure that you are clear on whether the statement is True or False and be prepared to explain your answer with reference to the Consolidated Practice Directions.

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Note: you will be presenting your True/False statement in class to your classmates.