

In “The Spotlight” with: J. Bruce Francis, Esq. Mediator

By Kate Feeks

This May watch for the next episode of *Law Talk*, hosted by John Celebrezze. This episode features Bruce Francis, Mediator for the Medina County Common Pleas Court Civil Mediation Office. Mr. Francis will discuss the functions of the mediation program with John. This show can be viewed on Wadsworth Cable (WCTV) Public Access, Channel 15, Brunswick Area Television (BAT) Public Access, Channel 21, Armstrong Cable Access, Channel 37 and You Tube.

A court mediator is a person that will sit with the parties in a common pleas setting, other than a judge and/or a jury, to resolve a dispute. The mediator will work with the plaintiff(s) and defendant(s) to decide if they need to try a case in court or get a better understanding of the issues in attempt to achieve a resolution.

Most of the cases heard by Mr. Francis are civil in nature filed in the common pleas court. Some examples of them are automobile accidents, business disputes, workers compensation matters, real estate issues, and nuisance claims. In mediation, many different options are explored and if the case is not settled that day, usually the parties, with help from their counsel, can find a resolution prior to the trial date.

“Frequently we will have a case over here that will get pretty close to settlement and then the parties will go home to think about it and come to an agreement within a week. They may not agree on the day of mediation, but the case usually gets settled before trial time” said Francis. If a case does not reach a settlement, then it will be heard on the date that was initially scheduled by the court.”

It is important to prepare prior going into mediation. “Preparation is always the key” noted Francis who explained that it is beneficial to think through the situation and have some sort of objective. When preparing, parties should ask themselves; what are we doing here, what has kept us from settling, what is our goal, and how do we get to it. More importantly it is helpful to look at the other side; what are they thinking about, what do they want, and what is it they need to get the matter settled.

The mediation process is scheduled in three hour increments every day. For those cases that are more complex the parties sometimes have to come back after doing research to renegotiate. Approximately sixty (60) percent of the cases referred to mediation are settled. The uncertainty of the outcome of a trial is a common reason mediation is considered versus litigation. “Over there it is a final determination, over here it’s negotiation” explained Francis.

In 2000 Bruce Francis began working as a court mediator for Medina County Common Pleas Court Judges Christopher J. Collier and James L. Kimbler. He grew up in Brunswick, Ohio and now is a resident of Granger Township. He is married to wife Barbara and very proud of has one grandchild.

To learn more about the Medina Common Pleas Court Mediation Program and Mr. Francis, watch for his interview with John Celebrezze on *Law Talk* throughout the month of May.