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Mediate BC's 2016 Mediation Business Survey[1]

Summary of Key Results

In the spring of 2017, Mediate BC issued a survey to mediators on its Civil and Family Rosters (including the Associate Rosters) to learn more about the use of mediation in British Columbia. This was the fourth annual survey.

DEMOGRAPHICS

- 69 of the 296 Roster Mediators responded
- 71% of respondents were located in Greater Vancouver and Southern Vancouver Island (a decrease from previous years, and there was an increase in response from mediators from the Interior)
- 83% reported that they lived in an "urban" rather than a "rural" community
- Only 1/3 respondents identified as male.
- The average respondent age was 54
- The average years of mediation experience was 12
- 43% of respondents reported that law was their primary professional background and 36% reported mediation as their primary professional background.

MEDIATION PRACTICE

How many mediations did they conduct during 2016?

	Civil	Family	Workplace
# respondents	37	40	25
Total	1,044	525	77
Range	1 to 178	1 to 75	1 to 30
Average	37	19	8

How many sessions were held per mediation?

- Civil: 70% completed in 1 session
- Family: 78% completed in 3 or fewer sessions
- Workplace: 80% completed in 2 or fewer sessions

[1] The naming structure of the survey was changed to reflect the calendar year that the survey was asking about rather than the year the actual survey was issued.

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What was the mix of issues in CIVIL mediations?

Rankings (1 = most common)	2016	2015	2014	2013
Personal Injury	1	2	1	2
Business & Consumers	2	1	3	1
Wills & Estates	3	4	4	4
Insurance	4	10	7	9
Employment	5	3	2	5
Professional Complaints / Negligence	6	11	8	8
Housing, Real Estate & Strata	7	6	8	7
Community	8	8	7	11
Elder care	9	13	10	10
Public Institutions / Charities / Non Profits	10	12	9	6
Other	11	5	6	3
Restorative Justice	12	7	5	14
Finances & Taxation	-	9	11	13
Rights & Identity	-	14	-	12

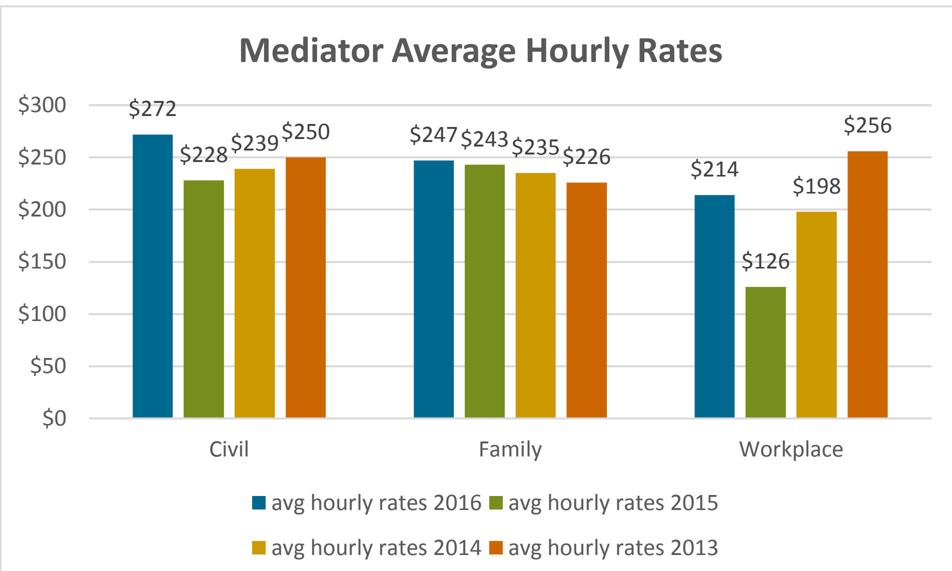
What was the mix of issues in FAMILY mediations?

Rankings (1 = most common)	2016	2015	2014	2013
Division of Assets / Debt	1	1	1	1
Parenting Arrangements	2	2	2	2
Spousal Support	3	4	5	4
Child Support	4	3	3	3
Other	5	5	4	5

What was the mix of issues in WORKPLACE mediations?

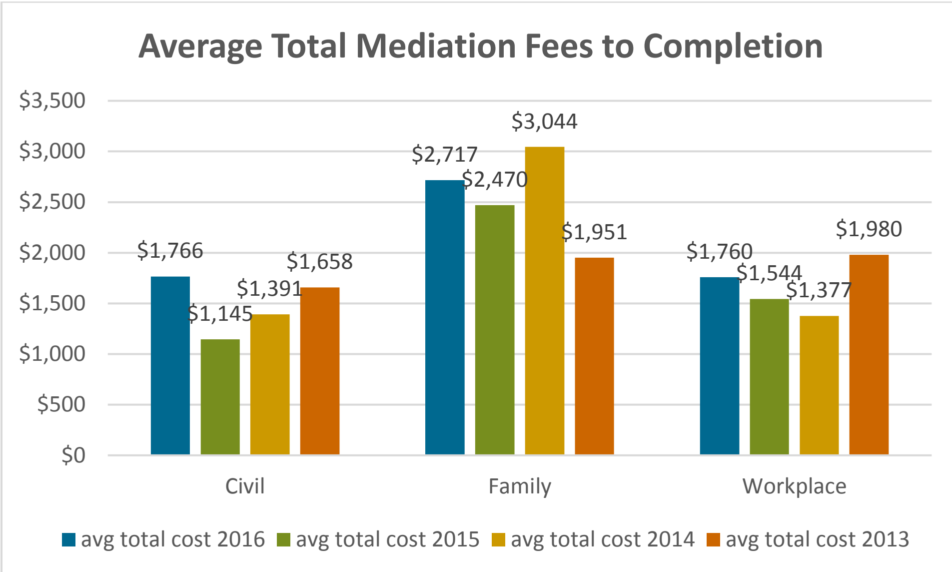
Rankings (1 = most common)	**2016**	**2015**
Workplace Conflict / Bullying	1	2
Employment	2	3
Harassment	3	5
Other	4	6
Wrongful / Constructive Dismissal	5	1
Workers' Compensation	6	4
Labour / Collective Bargaining	7	8
Pensions and Benefits	8	7

How much does mediation cost?[2] [3]



[2] The sample sizes are relatively small. It is likely that differences in response sets are caused by a different mix of mediators responding each year. We also reworded the question to take out Court Mediation Program fees after 2013 as the focus of the question was the cost *to the parties*.

[3] Average costs to completion are typically shared evenly amongst the parties (workplace mediations are a frequent exception).



What was the average duration of the mediation process?

Avg # of weeks	2016	2015	2014
Civil	8	4	8
Family	8	7	14
Workplace	6	5	5

The results show an increase for all, but still compare favourably to a court process.

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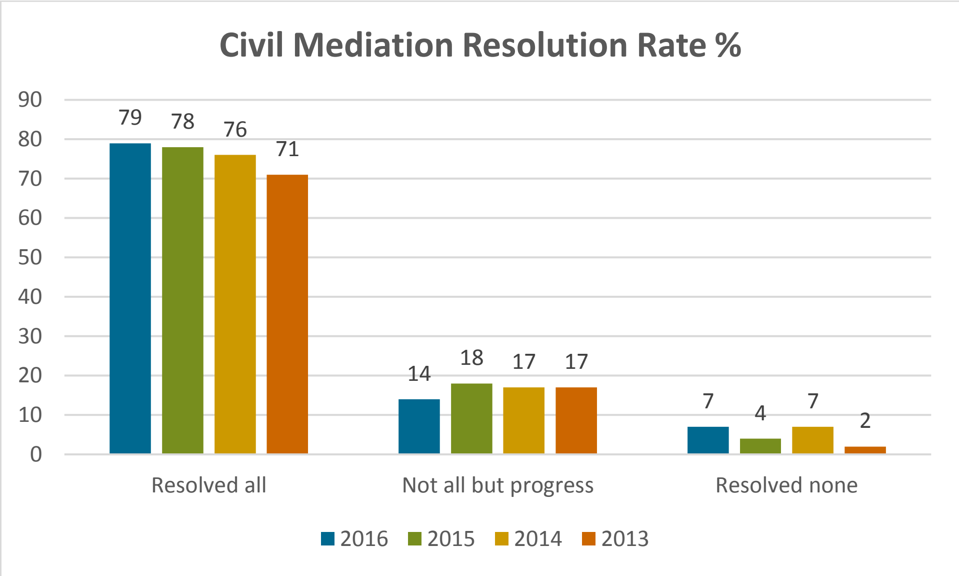
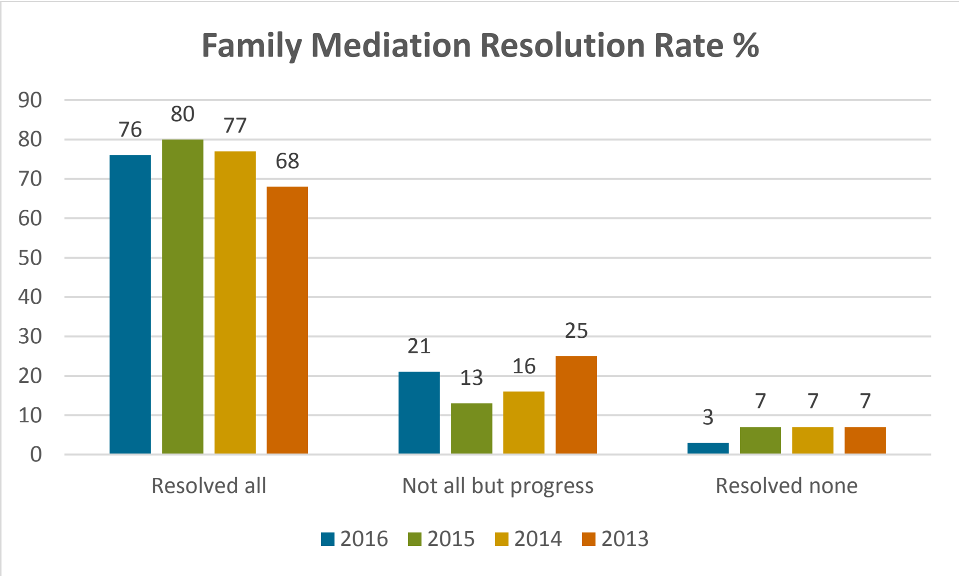
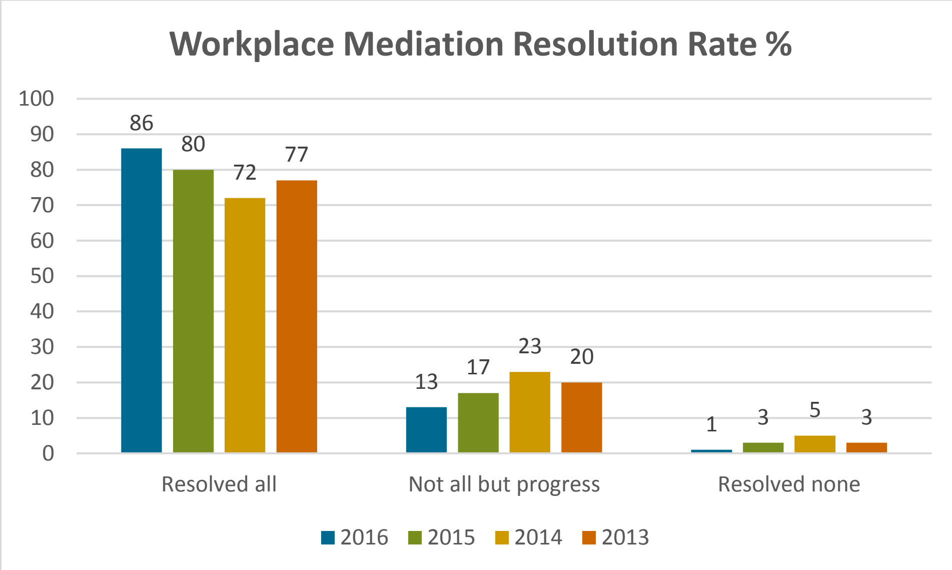
What is the resolution rate for mediation?

The results demonstrate mediation remains an effective means for resolving conflict.



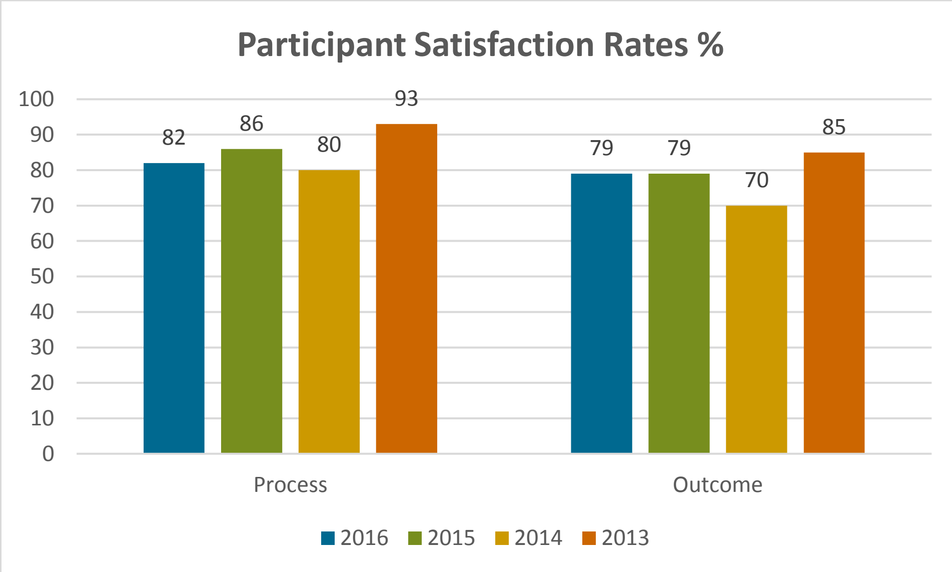




How many mediators sought satisfaction feedback from participants?

Fewer respondent mediators are seeking feedback from their mediation participants. Down to 34% from 47% in previous years.

How satisfied were participants with the mediation process and outcomes?



Note the small sample size in 2016 (n=14), 2015 (n=19) and 2014 (n=16) compared to 2013 (n=27)

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Based on your experience in 2016, what do you predict will be the primary growth areas for mediation in the next five years?

Rankings (1 = most common)	**2016**	**2015**	**2014**
Family	1	2	1
Workplace	2	1	3
Business/Contracts	3	-	-
Wills & Estates	4	3	2

BUSINESS DEVELOPMENT

What best describes your conflict resolution practice?

	2016		**2015**	
% Response	Part of a Practice Collective	Sole Practitioner	Part of a Practice Collective	Sole Practitioner
Part-Time	9%	41%	11%	39%
Full-Time	6.5%	43.5%	8%	42%

To what extent are mediators using technology tools?

	% 2016	**% 2015**	**% 2014**	**% 2013**
Civil	18	12	9	7
Family	12	11	4	10
Workplace	4	10	11	4

What online/distance mediation platforms are being used?

Rankings (1 = most common)	2016	2015
Phone	1	1
Skype	2	2
Email	3	5
FaceTime	4	6
WebEx	5	4
Zoom	6	3

What other collaborative dispute resolution practices are mediators offering?

Rankings (1 = most common)	2016	2015
Workplace Assessment / Investigation	1	3
Other (Most common item noted in "other" was providing educational services (teaching/training/coaching)	2	1
Restorative Justice	3	5
Facilitation	4	4
Parenting Coordination	5	6
Collaborative Divorce	6	2
Med-Arb	7	7
Peacemaking Circles	8	8

How are mediators promoting their services?

Rankings (1 = most common)	2016	2015
Active participant in networking group(s) to promote mediation services	1	1
Active social media presence to promote mediation services	2	3
Advertising mediation services	3	2
Other marketing / promotional efforts for mediation services (Most common item noted in "other" was leading webinars on conflict resolution)	4	4
Active media relations efforts to promote mediation services	5	5

What types of professional services are mediators using?

Rankings (1 = most common)	2016	2015
Bookkeeper / Accountant	1	1
Website Developer	2	3

Venue Rental(s) for client meetings or conducting mediations	3	2
Marketing / Social Media Expert	4	5
Communications Advisor or Graphic Designer	5	4
Business Coach or Advisor	6	6

Other common services identified: administrator and tech support

What are the biggest challenges to building and marketing a mediation practice?

Rankings **(1 = most common)**	**2016**	**2015**
Cost of developing a mediation business	1	1
Not enough public awareness of mediation	2	2
Number of established mediators in area	3	4
Discomfort with networking or conducting business development activities	4	5
Lack of potential clients in area	5	3

What are the most important factors in developing a robust practice?

Rankings **(1 = most common)**	**2016**	**2015**
Client recommendations	1	3
Existing network and professional reputation	2	1
Active networking in target field	3	2
Active advertising & marketing efforts	4	4
Advice from mentor mediator(s)	5	-

How many co-mediations did you conduct (outside a Mediate BC program)?

On average, co-mediations only took place in Family mediation contexts. Respondent mediators each conducted an average of 8 co-mediations in 2016.

Top 3 Reasons Mediators Co-Mediated:

Rankings **(1 = most common)**	**2016**	**2015**
Mentor and develop newer mediators	1	1
Personal and/or professional relationship with the co-mediator	2	2
Manage complex issues	3	3

Top Reasons a Mediator Would Consider Co-Mediation:

Rankings **(1 = most common)**	**2016**	**2015**
Opportunity to co-mediate and higher case flow	1	1

Large, multi-party cases	2	-
Alignment of goals and interests	3	-
Structured approach	4	2

THANKS

Mediate BC would like to thank all the Roster mediators that took time to respond to this survey. These results continue to help shape our understanding of the use of mediation throughout the province and to respond to questions from the public effectively.