

PRACTICE HINTS: THE ECONOMICS OF PRACTICE AND THE MARKETING OF MEDIATION

ECONOMICS OF PRACTICE: ISSUES TO CONSIDER:

1. OFFICE: Placement and style of office. Generally, do not need separate office for mediation. Style and arrangement is personal choice.
2. BILLING: How much; hourly or session rate; payment per meeting or monthly; retainer requested.
3. STATIONARY: Separate stationary for mediation practice is advisable to avoid confusion.
4. FORMS: (See this book.)
5. ADVERTISING BUDGET: (See below.)
6. MALPRACTICE INSURANCE: (See Ethics, 14.12)

MARKETING MEDIATION AND PUBLIC EDUCATION

The key to the development of mediation as a viable option will be marketing and public education. The single biggest obstacle to the spread of mediation is that too few people know of it as an available option. Mediators cannot wait for parties to come to them as they might do as lawyers and therapists. Generally, referrals will not come easily from other professionals; both lawyers and counselors view mediation as threatening to their livelihood.

Three points to keep in mind:

- Develop a marketing strategy that reaches the general public; don't ignore professionals and professional groups, but don't rely on them either.
- Remember, as you must in the mediation process itself, that often parties are afraid to take responsibility for their own lives. Your marketing strategy must present mediation as a competent, protected process where parties cannot get hurt legally or personally.
- Sell mediation as a businesslike, sensible and thoughtful way to settle disputes, not as the humanistic "right thing to do."

Other considerations in marketing:

1. Distinguishing public relations and education from advertising, the use of media and public relations experts.
2. The demographics of divorce and marketing strategies
3. Setting goals and objectives: target referral groups

4. Using and managing the media: creating press events; press releases and press packages
5. Advertising: radio, TV, Newspapers, other periodicals
6. Speaking engagements: How to prepare and what to present
7. Publications: brochures, graphics, logos
8. The cost of public relations ad advertisings: How to take advantage of free advertisement

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