

SUPPLEMENT TO CO-RESOLUTION AGREEMENT

This document explains the contours of the co-resolution process in relation to mediation and standard negotiation. By signing this document, the parties state that they have read the concepts expressed below and therefore understand the process they are agreeing to use.

Co-resolution Compared to Mediation

Similarities

- Both processes fulfill the same overall function of facilitating communication and negotiation between parties to produce a voluntary agreement regarding their dispute.
- Both processes are aided by open and honest communication within the process and require confidentiality in how that communication is used outside of the process.

Differences

- Mediation is facilitated by an impartial third party acting as a go-between.
- Co-resolution is facilitated by two negotiation coaches who personally assist separate parties in using cooperative negotiation methods. They are not separately impartial.

Co-resolution Compared to Negotiation

Similarities

- Both processes involve personal support and assistance from professionals trained in reaching agreement through informal communication.

Differences

- Negotiators operate independently of each other and are chosen separately by the parties (often fulfilling other roles for the parties such as attorney or administrator).
- Co-resolvers operate as one single unit or dispute resolution service and are therefore approached by the parties together solely for the purpose of settlement negotiation.

Reasons that Co-resolution is covered under the Iowa Uniform Mediation Act

- The co-resolvers operate as one dispute resolution service, providing assistance in facilitating communication and negotiation among the parties. Though they provide personal negotiating assistance to conflicting parties, their overall organization and purpose make them more similar to one mediation service rather than independent negotiators.
- The Iowa Uniform Mediation Act at Iowa Code §679C defines “mediator” as someone who conducts a “mediation,” which is “a process in which a mediator facilitates communication and negotiation between parties to assist them in reaching a voluntary agreement regarding their dispute.” Co-resolution therefore falls under this definition as a process for facilitating negotiation and voluntary settlement.
- Co-resolution is an independent process designed entirely for informal settlement negotiation and should therefore be protected by confidentiality and privilege under the public policy behind The Uniform Mediation Act, Iowa Code §679C.104 and 108, Federal Evidence Rule 408 and Iowa Rules of Evidence 5.408.
- The parties agree that this process will be governed by the Iowa Uniform Mediation Act, and the parties have this inherent power to design their Alternative Dispute Resolution process.

Signature

Printed Name

Date

Signature

Printed Name

Date