Phillip Mulford works as the sole full-time professional mediator in Virginia

By PAT STAPLETON
Observer staff

According to Phillip Mulford, of Mulford Mediation in Warrenton, anyone can be successful if he is willing to join the other person in this room. It is not a marketing phrase or an empty promise. That is simply the outcome of the mediation process at Mulford Mediation.

Mulford has been in the business of dispute resolution through the process of professional mediation, serving both families and businesses since 1990. Currently, most of Mulford's work is with family/marital disputes, while approximately one quarter of his time is spent on business disputes.

Mediation is a process in which "a neutral party facilitates mutual agreement without imposing a decision of his/her own." Sides are not taken; there is no advocating for either party, and no decisions are imposed on either party. This defines mediation as separate from arbitration, where both sides are heard, but the decision is negotiated with the aid of the neutral arbitrator.

The distinction between certified and professional is an important one to Mulford, who is the only "full-time professional mediator in the state of Virginia."

Although Mulford has a law degree and practiced law in the past, his mediation office is not a sideline to a law practice, as many mediation offices are. This is his life's work. According to Mulford, there are many trained or certified mediators, but that does not always translate into the real skills necessary for successful mediation. He continually advocates for more stringent training and certification in the field of mediation.

What exactly does a mediator do? Mulford's work as a mediator is in "providing a framework for constructive communication" so the parties involved "can work out solutions and plan for their futures." In domestic cases, Mulford Mediation does not advocate either divorce or staying married but instead helps guide couples through the very real and usually very emotional issues and decisions they must make in order to move forward in their lives.

What can clients expect if they were to seek the services of Mulford Mediation? They can expect to be safe, to be respected, to be heard and to be viewed as "a critical party in the process of mediation," he said. For Mulford, creating this safe and confidential atmosphere, where both parties' needs and feelings are listened to and understood by the other, is crucial. When asked how he does this, Mulford spoke of focusing the disputing parties on communicating, and by confirming each person's role as critical to the process. Ultimately, the process cannot be successful without mutual agreement. Further, without communication, the process cannot move forward toward agreement.

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Philip Mulford takes a break from the hectic pace in his Warrenton Mediation office.

Many times during mediation sessions, Mulford helps people "put their ideas, concepts and feelings into words so they may be better heard by the other."

According to Mulford, when this level of communication occurs, parties in dispute begin "opening up to solutions they never would have considered." This allows for even the most heated and emotional disputes to reach mutual agreement. Even after years of witnessing this creative process take off, it is a continued source of awe for Mulford.

As a mutual agreement is reached in the mediation process, a draft of the agreement is written, and both parties are encouraged to have it reviewed by their lawyers. Mulford stressed that each agreement is different, as it is tailored specifically to each case handled. In its final form, the mediation agreement is legally binding by both parties. What is significant in making the agreement work is that the decisions are made entirely by the disputing parties, not by the mediator. Retaining control over the decisions is what draws many people to mediation as an alternative to lengthy and expensive court battles, according to Mulford.

For more information, view the Mulford Mediation website at www.mulfordmediation.com. The Warrenton office is located at 30 Main St., Suite 201. The phone number is 540-341-4615. Mulford also has a Fairfax office, at 11350 Random Hills Road, Suite 800. The phone number is 703-222-0124.

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