

## **Mike Faulkner: Mediator CV**



I have been resolving disputes on insurance claims for many years but increasingly pursuing this through mediation having qualified as an Accredited Mediator through the London School of Mediation four years ago. This is how I see a mediation process:

### **Which case?**

We know that claims professionals and lawyers are trained to negotiate. It is often achieved successfully but positions do become entrenched. Is it all about timing? Attitude? Bargaining stance? Are the participant's best interests being served? As a neutral I can perhaps help unlock the barriers even on those cases that are sticking before the litigation process has kicked in.

### **Pre-mediation:**

Less is sometimes more. Whilst everything but the proverbial "kitchen sink" is often thrown into a court submission, as the mediator I prefer to have just the key points summarised and to then talk to each representative confidentially to listen and learn about what their issues are. With your permission it may help at this stage if I also talk to your client about the mediation process in order to remove any doubts or fears. This hopefully sets the tone for a relaxed atmosphere on the day of the mediation itself and is far removed from the win/lose, cross examination pressure of a trial.

It is vital that as the mediator I feel fully prepared and familiar with what matters to each participant and what they are seeking to achieve from the mediation.

### **Mediation settlement meetings:**

I believe that the settlement meeting is all about the participants by ensuring that they feel comfortable and relaxed even before the mediation commences. If they feel that they are being heard and treated fairly then your role is under less pressure.

The venue, format and pace of the mediation are dictated by you and your clients. I will help steer the process towards a settlement

and in private session may challenge or question how the solution may be achieved from a neutral standpoint.

**Post mediation:**

Sometimes it is not possible to reach full agreement on the day but I will stay in touch with you if all participants agree and offer my services to see if it can be resolved soon after.

**More about me:**

Whilst my career to date has been in the insurance profession, I am not defendant focused. I have often been “the claimant”. I pride myself on my ability to see all sides to a dispute: to listen to what is being said and not to impose my views on others.

A lot of my time has been involved in the non-adversarial process of rehabilitation where I have seen first-hand how devastating an accident can be on the family as well as the injured claimant. I recognise the emotional as well as the financial impact.

I live in South Warwickshire which has the benefit of easy access to all parts of the UK.

**My writing:**

I have written legal update bulletins for brokers, adjusters, insurers and local authorities. I have also written articles for global publication on the claims process.

**Memberships:**

I am a member of the Association of Midlands Mediators and the London School of Mediation alumni.

**Further information:**

I would welcome the opportunity to talk to you about how I may be able to help you and your clients.

Please call me on **0844 879 3166** or email me at **info@expediteresolution.com**