# CoDA Service Conference 2011
# Motion 5 Form

## Committee: Issues Mediation Committee Date: 5/7/11
## Motion Number: (data entry purpose only):_____
## Result (data entry purpose only):

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**Motion:** To add the following (highlighted) paragraph to the "Disagreement, Mediation and Resolution" process, Section 2, page 15, *before* the 2nd to last paragraph (starting with "Groups, Intergroups or Voting Entities do not establish CoDA policy… )

It is essential that all disputing parties use CoDA's approved FSM mediation process, and not an external mediation/arbitration process. CoDA follows the 12 Steps and 12 Traditions and has its own policies and procedures. It is also important that neither party have access or the ability to use and/or hire a CoDA paid or non-paid attorney, internally or externally, to handle a complaint and/or participate in the investigative, mediation and resolution process. This clearly would be an unfair use of CoDa resources & and interfere with CoDA's 12 Steps and 12 Traditions & CoDA's resolution program.

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**Intent:**
To follow the FSM, fellowship approved mediation/resolution process as outlined. CoDA follows a 12-step program guideline; its own policies and procedures. Mediation is an attempt to settle a dispute through an active participant of a third, objective party (IMC) who works to find points of agreement and make those in conflict agree on a fair result. The fellowship has not approved for any attorney to be involved in the process. An attorney for one party cannot be objective in the overall process. This motion reinforces Service Concept 7 & 12; Traditions 1 & 7.

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**Remarks:** The point of mediation is to resolve disputes through an objective third party; achieve resolution out of court; process the resolution quicker, with mutual cooperation, and to end anxiety and problems which may also effect the organization.

In a dispute, IMC noticed that one party (because of their standing in CoDA) had hired an attorney on a pro bono basis (and later, CoDA actually paid for her services) as shown in their board meeting minutes. They not only had the access to this attorney, internally, but the other party *did not* have access to an attorney, & they did not have access to the CoDA these funds as well.

There is no fairness or equity if one party may have access of attorney services in a dispute when the other does not. IMC is a fellowship approved body that mediates for both sides of equal standing.