

SUMMARY

Graduate qualification work on the topic:

« Mediation as the way of civil disputes settlement in the Russian Federation »

Author: Fedorov V. I.

Supervisor: Miller Irina Sergeevna

Client organization: « Lawyer office No. 6. »

P. 82, references 106.

Keywords: conflict, intrapersonal conflict, consequences of civil disputes, law, mediation, settlement of legal conflicts, alternative resolving ways of legal disputes, application peculiarities of mediation procedure.

Relevance of the research topic. Relevance of a subject of a research lies in the fact that to date, mediation deserving great attention, because it is innovative, modern and perspective way of the civil disputes settlement. However condition of mediation in the Russian Federation differs in existence of a number of the problems which demand in permission.

First, the institute of mediation doesn't work in Russia because of the low legal culture. Businessmen, legal entities and citizens will solve civil disputes in the state courts rather, than with the help of mediator. It is connected with the legislative base of meditative activity in the Russian Federation which has a number of problems.

Secondly, citizens treat to mediation with mistrust in result of bad understanding of a mediation essence. So that citizens have real information about mediation, information resource which could state highlights of the procedure organization, it advantages and a practical benefit in an available form is necessary. Such resource at the moment is absent.

These problems, certainly, are interconnected and demand an integrated approach to their permission.

Thus, the **purpose** of our graduate qualification work is to reveal a mediation problem as the way of civil disputes settlement and to develop recommendations about elimination of the available problems connected with application of mediation in the Russian Federation.

Realization of this purpose requires the formulation and solution of the following **tasks**:

- to analyse scientific approaches and the main concepts to definition of a mediation;
- to consider mediation development history;
- to define mediation application problems, and also it types and the techniques;
- to reveal the current state of mediation and to make recommendations about elimination of the available problems connected with application of mediation in the Russian civil sphere.

The theoretical and practical significance of the study lies in the fact that the extensive theoretical material setting a lot of vectors for further researches of the mediation procedure as the way of settlement of legal disputes is offered. Also we have submitted a number of recommendations about elimination of application problems of mediation in the Russian civil sphere. Conclusions, provisions and materials of this research can be used by the lawyers, lawyers practicing conflictologists, arbitration judges and mediators.

The result of the research is allocation of two major factors that have negative influence on application of mediation. There are a low legal culture and small knowledge of citizens about the procedure of mediation. So we create the package of recommendations about elimination of these problems.

General **recommendations** for mediation popularization in Russia:

1. To introduce the higher legal education for a mediator as compulsory;
2. Eliminate the provision that the mediator has no right to provide legal, consultative or other assistance to the client;
3. To specify an order of holding this procedure and give it system and uniform form with a possibility of adjustment;
4. To introduce special norms of the right of notaries and lawyers to engage in mediation activities;
5. To give binding force to mediation agreements;
6. To carry out advertising of mediation in media;
7. To place information stands and booklets in public authorities;
8. To make possible that the parties can have an opportunity to pass one mediation session on a grant basis;
9. To create the information resource which could state highlights of the organization of the procedure, its advantage and practical benefits in an available form.