



JOHOR BAHRU COURT MEDIATION CENTRE

INTRODUCTION

There are many models of mediation. The court-annexed mediation program is a free mediation program using judges and deputy registrars as mediators to help disputing parties in a litigation to find solution. It is a service provided by the judiciary as an alternative to a trial. This court assisted mediation program will be integrated with the court process to ensure mediation is available to all litigants. It may also be mandated as part of the civil litigation process since it is provided at no costs of the parties and nothing is lost by attempting to mediate a resolution.

ADVANTAGES OF COURT-ANNEXED MEDIATION

- (1) To assist parties to communicate and break down barriers between them;
- (2) To help litigants to revise their thinking, reassess the risks of not agreeing and move towards agreement; and
- (3) To save costs and time while keeping valuable personal or commercial relationship intact.

MEDIATION PROCEDURES

The mediation procedures at the Mediation Centre are as follows:

1) Order of referral

- (a) the High Court Judge/ Session Judge/ Deputy Registrar/Magistrate, either on his own motion or upon request of any party to an action instituted in the civil court, may make an Order of referral to the Mediation Centre.
- (b) the Order of referral may be made, at any time, at the pre-trial case management or at any stage of the proceedings.

2) Mediation Agreement

All parties shall, once agreed to mediate, complete the Mediation Agreement as in "Form 1".

3) Scheduling

A mediation session shall be fixed before a panel of mediator not later than **one (1) month** from the date the case is referred to the Mediation Centre.

4) Attendance

All parties, or their authorized representative to settle the action together with their solicitors, **shall** attend all sessions fixed before a panel of mediator.

5) The session

The mediation session is flexible. It —

- (a) may be a joint session or a caucus;
- (b) may be conducted once or more sessions of mediation;
- (c) has no formal rules of evidence or procedures to be complied with by the parties during the mediation;
- (d) the parties and the panel of mediator may discuss the ways to proceed in the mediation to tailor the process according to the wishes of the parties and the subject matter of the disputes.
- (e) is unless agreed to by the parties, the hearing Judge shall not be the panel of mediator.

6) Duration

Every mediation, except with the agreement of the court, must be completed not later than three months from the date the case is referred for mediation.

7) Settlement agreement

Any settlement that is reached by the parties becomes a judgment of the court. If the settlement agreement includes withdrawal or dismissal of the action, the parties shall file an appropriate notice of discontinuance.

ORGANIZATIONAL STRUCTURE

PANEL OF MEDIATORS (HIGH COURT JUDGES)

YA TUAN VERNON ONG LAM KIAT
YA TUAN KAMARDIN BIN HASHIM
YA TUAN GUNALAN A/L MUNIANDY
YA PUAN SUPANG LIAN



Y.A. Tuan Vernon Ong



Y.A. Tuan Kamardin



Y.A. Tuan Gunalan



Y.A. Puan Supang Lian

(DEPUTY REGISTRARS/MAGISTRATE)

PUAN NORMA BINTI ISMAIL
PUAN RAJESWARI A/P KANNAKIAH
PUAN RASIDAH BINTI ROSLEE
PUAN FIRDAUS BINTI MD ISA
TUAN MOHD NAZRI BIN OMRAN



The Registry

Senior Assistant Registrar :
Tuan Mohd Azlan Shah bin Mohd Allias
Support staff :
Lily Suriawati Aida bt Mohd Arif

Facilities

The Johor Bahru Court Mediation Centre is located at level 25, Menara MSC Cyberport, No.5, Jalan Bukit Meldrum, 80300 Johor Bahru, and equipped with a mediation and a holding lounge. Where, the parties need to discuss in private, there is also a caucus room located just next to the lounge.



Telecommunication facilities are also provided for the parties to use.

JOHOR BAHRU COURT MEDIATION CENTRE
Level 25, Menara MSC Cyberport,
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