



**Standard Operating Protocols- Online Mediation**

**Under the aegis of Madhya Pradesh State Legal Services Authority (MPSLSA),  
With Technical Support from Sama**

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### 1. Objective

To facilitate online mediation of various disputes received by the Police Department of Madhya Pradesh.

### 2. Administrative Assistance

Under *Rule 16 of Mediation Rules*, High Court of Madhya Pradesh, *Madhya Pradesh Legal Services Authority (MPSLSA)* will be taking administrative assistance from Sama, an Online Dispute Resolution (ODR) Institution, recognized by Ministry of Law and Justice, Government of India.

### 3. Stakeholders to the Online Mediation

- 1) Police Representative
- 2) Party 1
- 3) Party 1's lawyer
- 4) Party 2
- 5) Party 2's lawyer
- 6) District Secretary- Legal Service Authority
- 7) Member Secretary- Legal Service Authority
- 8) Mediator
- 9) Sama- Technical Support

### 4. Nature of disputes

- 1) Domestic Violence
- 2) Neighbourhood Disputes
- 3) Property Matters
- 4) Other Family disputes, etc





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### 5. Process

#### **Step.1 A potential complainant/litigant calls on the helpline number.**

- He/she will share her contact details.
- Details of the issue he/she is facing- neighbourhood dispute, family matter etc

#### **Step.2 The Police Officer will check the suitability of the issue for mediation and will accordingly refer for online mediation**

- Check for pre-existing relationship if any, between the parties.
- Explain the benefits of mediation
- After taking consent from parties, the police officer will login into the online mediation platform and

upload case details on the platform) Name of Party 1, Phone/Email ID,

b) Name of Party 2, Phone/Email ID,

c) Details of the Case

#### **Step.3 From a panel of trained mediators, a suitable mediator will be allocated.**

*(In consonance with Rule 4 of Mediation Rules, High Court of Madhya Pradesh)*

- The mediator will be trained in online mediation.
- He/she will be trained in using the online mediation platform.
- The mediator can login to the platform and access details of cases allocated to him/her.



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Bangalore, 560038, Karnataka India| CIN: U74999KA2019PTC125645| Telephone: [+91 98557 55798](tel:+919855755798)

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#### **Step.4 Once a mediator is allocated, a notice will be sent to parties in Hindi/English.**

- It will contain that matter was referred to mediation by the Police.
- It will have contact details of mediator, and parties can directly reach out to the mediator.
- It will also contain a LOGIN link through which parties can log into the online mediation platform and see case details.
- It will also contain details of a Sama Case Manager, who will be there to provide administrative support to the parties.

#### **Step.5 Online Mediation**

*(In consonance with Rule 12 of Mediation Rules, High Court of Madhya Pradesh)*

- Post sending the notice, the mediator will establish contact with parties. (Through phone)
- He/ she will understand the problem and explore possible solutions.
- The communication with parties can be done through- Phone, Sama Chat & Sama Video Conferencing.
- Basis the mediator, he/she can opt for shuttle mediation (only caucusing) or through joint sessions or through combination of caucus and joint sessions





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**Step.6 Case Updates & Case Status**

- There is a button called “case updates” where mediator can capture the progress of the case. *(Without breaching Rule 21, 22 of Mediation Rules, High Court of Madhya Pradesh)*
- There is a button called “case status” which mediator can change depending on the progress he makes in mediation-

Case Status	Meaning
Non-Starter	Parties are not reachable
Consented	Both Parties are successfully onboarded for Online Mediation
Close- No Consent	Parties did not consent.
Settled	Parties Settled the dispute. Mediator issues Settlement Report.
Close-No Settlement	Parties could not settle the dispute. Mediator issues Failure Report.

**Step.7 Closing the Case**

*(In consonance with Rule 25 of Mediation Rules, High Court of Madhya Pradesh)*

- If parties settle the dispute, mediator can change the case status to “Settled” and upload settlement report.
- If parties can’t settle the dispute, mediator can change the case status to “Close- No Settlement” and upload failure report.
- The report will be visible to all stakeholders. (Parties, police officer, SLSA/DLSA, mediator)





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(Note- Templates of Settlement/Failure Report can be approved and uploaded to maintain uniformity.)

### 6. Time-Line

On the expiry of 7 days from the case being allocated to mediator, the mediation stands terminated, unless the Police Station, which referred the matter, either Suo Moto, or upon request by any of the parties, and upon hearing all the parties, is of the view that extension of time is necessary or maybe useful; but shall not extend beyond 30 days.

### 7. Confidentiality, Security & Privacy

The full online mediation process will be in consonance of *Rule 21 and Rule 22 of Mediation Rules, High Court of Madhya Pradesh*. Only the stakeholders defined in the SOP will have access to the case details. Furthermore, the data of online mediation will be deleted from the platform within 6 months of closing the mediation.

### 8. Payments

In addition to offline payments to mediator, there will be an option to pay the fee of the mediator through the online platform, in consonance with *Rule 27 of Mediation Rules, High Court of Madhya Pradesh*.

