

## **What Makes a Successful PIA Mediation?**

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The PIA Ombudsman's program receives requests for assistance from a wide variety of requestors, and less frequently, from agencies, involving a wide array of PIA issues and problems. The program is informal, voluntary, and covers a wide range of issues. The information needs and motivation of the requestors, and the capacities and resources of the agencies both affect the mediation process and outcomes. The Ombudsman believes that the likelihood of a successful outcome in PIA mediations often is enhanced or diminished by several factors:

- Timing of a request for the Ombudsman's help: There is a greater likelihood of effective and constructive communication when assistance is sought soon after a dispute emerges concerning a particular PIA request. Don't let the frustration level grow too high;
- The type of issue(s) presented for mediation: certain types of issues are more amenable to mediation, negotiation, and compromise than others; for example, fee waiver denials often are not altered, but discussions may lead to modifications of the request, which reduces the fee and removes the need for the waiver; similarly, a request that received no response may be resolved by a call from the Ombudsman's office that brings the item to the agency's attention and is handled promptly at that point;
- The participants' capacity to engage in the mediation process: key to mediation success are the participants' knowledge, availability, understanding of the purpose of mediation, ability and willingness to engage in the process with the aim of constructive problem-solving, ability to appreciate another's point of view and to consider alternatives.

In general, the Ombudsman believes that her effectiveness in mediating PIA disputes has been and will continue to be enhanced by knowledge of agency needs and processes, and the continued development of good working relationships with all participants, including agency personnel and their counsel.