

Cost-Buster Arbitration™ Handbook

Procedures and Forms
for Resolution of Faith-Based
Private School Tuition-Related Disputes



Mediation Law Group, Inc.
Providing Streamlined Resolution Services to
Faith-Based Private Schools, Parents and Faculty Nationwide

www.mediationlawgroup.com

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Contents

	<u>Page</u>
About the Cost-Buster Arbitration™ Program	3
What the Bible Says About Christians and Conflict	4
School Pledge to Biblically Resolve Disputes	6
Description of Cost-Buster Arbitration/FAQ's	7
About the Arbitrators	8
How to Submit a Claim	9
Arbitration Forms & Rules.....	10

Cost-Buster Arbitration™

About the Cost-Buster Arbitration™ Program

The Cost-Buster Arbitration™ Program is a low-cost, expedited way for parents/guardians and Christian schools to resolve small dollar tuition or school-related disputes. All disputes under \$7,500 are resolved by binding arbitration through Mediation Law Group, a nationwide dispute resolution firm with expertise in faith-based disputes.

The Cost-Buster Arbitration™ Program is faster than typical “small claims” court processes. Your case is submitted online or by fax to a neutral, professional arbitrator, so you lose no time from work or family to attend hearings. However, the arbitrator may request brief testimony by telephone where necessary. Most importantly, the Cost-Buster Arbitration™ Program follows the precepts for faith-based disputes as outlined in Matthew 18:15-17.

If all attempts at informal resolution are unsuccessful (as outlined in the enclosed “Procedures”) you may submit your case directly to the arbitrator. The cost to arbitrate is only \$150 per party, and your arbitration hearing date is set within 15 days of your Request to Arbitrate. Best of all, the arbitrator will render a binding arbitration award within 48 hours of your hearing date.

By implementing the Cost-Buster Arbitration™ Program, your Christian school has committed itself to resolving disputes at minimal time and expense to all parties, and in a manner consistent with biblical principles, that avoids secular courts and collection agencies.

If you have any questions about the Cost-Buster Arbitration™ Program, or need assistance with submitting your claim for arbitration, please contact the Case Administrator at Mediation Law Group, Inc. via email to admin@mediationlawgroup.com or by calling 1.866.403.8690.

What the Bible Says About Christians and Conflict

The Christian community operates under a different standard when it comes to conflict. Scripture is clear that the community of believers should make every effort to stay out of court, resolve matters “in-house,” and seek reconciliation wherever possible.

Resolve Matters “In-House”

The Apostle Paul pointed out that disputes among believers have no place in the secular courts, and that there are skilled members of the Christian community who are well-equipped to assist in the resolution of disputes:

“Is it possible that there isn’t one levelheaded person among you who can make fair decisions when disagreements and disputes come up? I don’t believe it. And here you are taking each other to court before people who don’t even believe in God! How can they render justice if they don’t believe in the God of justice? These court cases are an ugly blot on your community. Wouldn’t it be far better to just take it, to let yourselves be wronged and forget it? All you’re doing is providing fuel for more wrong, more injustice, bringing more hurt to the people of your own spiritual family.” (1 Corinthians 6:5-7, *The Message*)

Clear Direction: Seek to Work It Out

The problem isn’t that Christians have disputes. It’s how we treat each other when in conflict that counts. Scripture directs us to be wonderful examples of God’s love in action, even through conflict, before a watching world. “For it is God who is at work in you, enabling you both to will and to work for His good pleasure. Do all things without murmuring and arguing, so that you may be blameless and innocent, children of God without blemish in the midst of a crooked and perverse generation, in which you shine like stars in the world.” (Philippians 2:13-15 NRSV)

Jesus gave clear direction on what Christians should do when in conflict with each other, in Matthew 18:15-17 (from *The Message*):

1. If a fellow believer hurts you, go and tell him – work it out between the two of you. If he listens, you’ve made a friend.
2. If he won’t listen, take one or two others along so the presence of witnesses will keep things honest, and try again. (*Informal or formal mediation.*)
3. If he still won’t listen, tell the church. (*Arbitration.*)
4. If he won’t listen to the church, you’ll have to start over from scratch, confront him with the need for repentance, and offer again God’s forgiving love.

Admit Your Own Contribution to the Dispute

When we find ourselves in conflict, the Bible tells us to first examine our own actions and motives, and admit the part we have played in the dispute. In Lamentations 3:40, scripture says, “Let’s take a good look at the way we’re living and reorder our lives under God.”

On the issue of motives, Jesus directs Christians to first consider their own shortcomings, instead of focusing only on the shortcomings of others. Jesus said, “Don’t condemn others, and God won’t condemn you. God will be as hard on you as you are on others! He will treat you exactly as you treat them. You can see the speck in your friend’s eye, but you don’t notice the log in your own eye.” (Matthew 7:1-3 CEV)

James, the brother of Jesus warned, "Where do you think all these appalling wars and quarrels come from? Do you think they just happen? Think again. They come about because you want your own way and fight for it deep inside." (*James 4:1 The Message*)

Seek a Solution and Consider the Interests of Others

Scripture urges us to take a radical approach to conflict – considering the needs of the other party, not just our own needs. There is much wisdom to this approach, because in order to have lasting agreements all the parties in conflict must be satisfied that their interests are heard and that honest attempts have been made to meet those needs.

Consider this advice: "Do nothing out of selfish ambition or vain conceit but in humility consider others better than yourselves. *Each of you should not look only to your own interests, but also to the interests of others.*" (*Philippians 2:3, 4 NIV*) And, "Finally, all of you should agree and have concern for each other. You should also be kind and humble." (*1 Peter 3:8*)

Reconciliation and Unity

Reconciliation and unity are constant themes throughout the Bible. The importance placed on reconciliation is not to show the world that we seldom have conflict, but instead to show the world our unity and love in our *management* of conflict. Having a planned process in place for the inevitable reality of conflict helps us to manage conflict quickly and with the intention of coming to reconciliation. Above all, Christians must forgive one another.

An important objective in conflict is forgiveness that leads to resolution and reconciliation (unity). A tremendous amount of personal growth occurs when conflict is managed productively. In order for forgiveness to occur, everyone must be very clear on the issue(s) causing disagreements. "Therefore, as God's chosen people, holy and dearly beloved, clothe yourselves with compassion, kindness, humility, gentleness and patience. Bear with each other and forgive whatever grievances you may have against one another. Forgive as the Lord forgave you. And over all these virtues put on love, which binds them all together in perfect unity. Let the peace of Christ rule in your hearts, since as members of one body you were called to peace." (*Colossians 3:12-15 NIV*)

Finally, the most important objective in working through conflict biblically is to demonstrate *unity* in the body of believers. Why is unity among Christians so important? Because how we treat each other and handle our differences is our witness to the world of the love of God. Consider Jesus' prayer in the Garden of Gethsemane:

"My prayer is not for them alone. I pray also for those who will believe in Me through their message, that all of them may be one, Father, just as You are in Me and I am in You. May they also be in Us so that the world may believe that You have sent Me. I have given them the glory that You gave Me, that they may be one as We are one: I in them and You in Me. *May they be brought to complete unity to let the world know that you sent me and have loved me.* (*John 17:20-23 NIV*)

It is clear that Christians demonstrate the love and power of the cross, through their actions. Jesus said: "I give you a new commandment, that you love one another, just as I have loved you, you also should love one another. *By this everyone will know that you are my disciples, if you have love for one another.* (*John 13:34, 35 NRSV*)

School Pledge to Biblically Resolve Disputes

As a school governed by Christian principles and committed to the highest standard of education and the well-being of children:

- We pledge to treat students, parents and guardians, teachers and staff with dignity and respect, upholding the Bible as our guide.
- We pledge to engage in a process to resolve disputes in a fair and equitable way for all the parties involved, taking into consideration not only our own interests, but the interests of others. (Philippians 2:3-4)
- We pledge, as far as it depends upon us, to pursue peace with all people without compromising our faith in Christ Jesus. (Romans 12:18)
- We pledge to follow the teaching of Matthew 18:15-17 which includes disputing individuals meeting in private to resolve their differences and maintaining relationships. In the event they cannot achieve resolution and reconciliation, an arbitrator will be retained to hear the issues in question and make a fair and equitable decision for the parties.
- We pledge in all things to give God the glory and demonstrate God's love as a witness to a watching world. (John 17:20-23)

Dated: _____

Principal

Description of Cost-Buster Arbitration™/FAQ's

Cost-Buster Arbitration™ is a **binding** arbitration program. Cases are submitted in writing (via email, fax or regular mail). The arbitrator reviews all the information submitted by the parties and makes a decision (called an "arbitration award") which is *final and binding*. Arbitration is completed within 15 days of a properly submitted Arbitration Claim (see the "How to Submit a Claim" section of this Handbook). The parties will receive the arbitrator's decision and award within 48 hours of the hearing.

Frequently Asked Questions...

❖ **What do I do if I have a dispute with the School over tuition or other issues?**

You may submit tuition and other school-related disputes involving \$7,500 or less to the Cost-Buster Arbitration™ Program. Simply follow the procedures laid out in the "How to Submit a Claim" section of this Handbook, and review the "Cost-Buster Arbitration™ Program Rules for Tuition and School-Related Disputes" supplied to you by the School.

❖ **What is binding arbitration?**

Binding arbitration is a process much like a court trial. Binding arbitration results in a decision by the arbitrator which is final and binding on all the parties, and is enforceable by the courts as a final judgment. In binding arbitration, the disputing parties submit their case to a trained, neutral third party for fact finding and judgment.

❖ **How does faith-based arbitration differ from "regular" cases?**

The arbitrators are professional legal dispute resolution experts, but are also trained in handling of disputes involving Christian individuals and organizations. In addition to the law, the arbitrators consider biblically based interests of justice, mercy, forgiveness and reconciliation when deciding cases.

❖ **What if I submit a claim without first meeting with the other party?**

Under Cost-Buster Arbitration™, before an arbitrator will consider the case, the parties must have informally met to try to resolve the issue. If the parties have not made such attempts, the arbitration will be postponed until such meeting has occurred.

❖ **What if I submit the "Pre-Arbitration Meeting Request" and there's no response?**

If a party fails to respond to the "Pre-Arbitration Meeting Request" form, then you may file your Arbitration Case Form, send copies to the other party, and proceed to arbitration.

❖ **What if a Cost-Buster Arbitration™ Claim is made against me, and I don't respond?**

Through the School's tuition contracts, both the School and parents/guardians have contractually agreed to submit all tuition and school-related disputes of \$7,500 or less to binding arbitration under the Cost-Buster Arbitration™ Program. It is **highly inadvisable** to ignore an arbitration claim, because failure to participate or respond could result in a judgment against you.

❖ **What does it cost me to arbitrate my case?**

Each side must pay a flat, \$150 fee to have the case heard.

❖ **Can I go to the arbitration hearing and have witnesses?**

This is a streamlined process where you present your case on paper. No physical appearances are permitted. When you submit the "Arbitration Case Form," you can attach any documents as evidence, along with witness statements signed under penalty of perjury (see the attached forms). Occasionally, the arbitrator may want brief testimony from a party or witness over the phone. The Case Administrator will alert the parties at least 3 days before the arbitration of any required phone conference.

About the Arbitrators

Mediation Law Group™, Inc. (“MLG”) is a nationwide, full-service conflict management firm. Mediation Law Group™ serves parties in conflict and organizations desiring prevention strategies. The MLG neutrals are mediators and arbitrators of court and non-court matters, and are among the most skilled artisans in the industry. As neutrals, they provide a safe environment that protects the dignity of participants.

Every one of MLG’s Cost-Buster Arbitration™ arbitrators is a believer, active in their church and in the Christian community. In addition to their proficiencies as legal dispute resolution practitioners, the neutrals are all specially trained in the Biblical aspects of resolving conflict among believers. When power, property or money is at stake, believers sometimes fear that a non-court, Biblically based process will fail to enforce obligations under the law. But at MLG, the arbitrators’ competencies in the legal arena seamlessly transfer to the faith-based process. The neutrals effectively arbitrate based on governing law, scripture, and a view toward resolving the conflict within the context of Christian principles. Principles of fairness, self-determination and the law govern all proceedings.

Before assigning an arbitrator to any Cost-Buster Arbitration™ hearing, MLG performs conflict of interest checks with its arbitrators. MLG is careful to ensure that the arbitrator assigned to your case is neutral, and that there is no bias or conflicts of interest.

For further information about MLG, and sample arbitrator profiles, see www.mediationlawgroup.com.

How to Submit a Claim (Forms Included)

Need Help?
Call the Case Administrator
at 1-866-403-8690

The process for filing a Cost-Buster Arbitration™ claim is fast and simple. Follow these steps:

1. **Notify the Other Party That You Have a Dispute.** If you have a tuition or school-related dispute valued at less than \$7,500, you need to let the other side know what the dispute is about and make every effort to work it out (see #2 below). Simply fill out the attached form entitled “**Pre-Arbitration Meeting Request.**”

Note: If you have a dispute and **you are a parent or guardian**, complete the form and deliver it to the School’s business office. If **you are the School** making a claim, complete the form and mail it to the parents or guardians.

2. **Meet With The Other Side.** An important part of the Cost-Buster Arbitration™ Program is a pre-arbitration meeting. You will first meet one-on-one with the School’s Business Administrator and try to come to a resolution. If you cannot reach agreement in that first meeting, you will then meet jointly with both the School’s Business Administrator and the School’s Principal to make a second attempt at resolution.

3. **File for Arbitration.** If you cannot resolve the dispute directly with the School, or the other party does not respond to the “Pre-Arbitration Meeting Request” Form **within 5 business days**, you can then request arbitration. Complete the attached “**Arbitration Case Form,**” which is very simple and self-explanatory. ***This is where you’ll tell the arbitrator about your dispute, why you are entitled to an award, and attach all documents that support your claim.***

Complete the “**Arbitration Case Form,**” file it with Mediation Law Group, pay the \$150 fee and give copies to the other party. All forms sent by the School will be sent to the official address for the parents or guardians on file with the School.

4. **If An Arbitration Claim is Made Against You, Respond!** If someone files a Cost-Buster Arbitration against you – be sure to respond! **If you ignore it, you may lose the case – this is *binding* arbitration.** Respond to a claim by completing the “**Arbitration Case Form**” according to the instructions on the form.

Mediation Law Group will notify you of the arbitration hearing date and send you a blank Arbitration Claim Form, in case you weren’t provided one by the claimant. File your response form and payment with Mediation Law Group (and a copy to the other party) **at least 7 days** before the arbitration hearing date. The Case Administrator has the discretion to grant an extension of time to file the response.

5. **The Arbitration Hearing.** An arbitration hearing will be set within 15 days from the date Mediation Law Group receives the original claim form and payment. Once all forms and attachments (evidence) are received, the arbitrator will review the case. If the arbitrator has questions for the parties or witnesses, a brief **phone conference** will be scheduled for the day of the hearing. You will be notified of the phone conference no later than **3 days before the hearing**. The parties do NOT physically come to the hearing - the hearing is done through the documents filed or telephonically.
6. **The Arbitration Award.** After the arbitrator has heard and considered all of the evidence submitted by the parties, she or he will make a written award. You will receive the award by fax or email within 48 hours of the arbitration hearing. The award will also be mailed to the parties. **The arbitrator’s decision is final and binding, and may be converted to a judgment if not paid.**

**Cost-Buster Arbitration™ Program
Forms & Rules**