

Advokatska kancelarija TSG TOMIĆ SINDJELIĆ GROZA informiše o aktuelnostima u radu kancelarije i zakonodavnom reljefu RS | Die Rechtsanwälte TSG TOMIC SINDJELIC GROZA informieren über aktuelle Themen der Kanzlei und den Rechtsrahmen der RS | The aim of the TSG Newsletter is to help our clients and associates understand trends and legal developments in various areas of the law in RS | Юридическая контора ТСГ ТОМИЧ СИНДЖЕЛИЧ ГРОЗА информирует о самых актуальных событиях, о работе конторы и законодательном релефе РС | Glavni urednik|Chefredakteur|Editor-in-Chief|Главный редактор: Ljubica Tomić | Prevodil|Übersetzungen|Translations|Переводы: Mirjana Zdravković, Vojislava Katić, Viktorija Topalović | Lektor|Lektor|Proofreader|Лектор: Ivana Radović, Vesna Gašić, Magda Braun

Br. 94/16 – Septembar|September|Сентябрь|September 2016

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Dispute Resolution through Mediation Faster and Cheaper Than Court Actions in Serbia

Why choose mediation in dispute resolution over court action? Court procedures may be too long, too costly, inefficient and offer no certainty as to the outcome.

The Law on Mediation in Dispute Resolution ("Official Gazette of RS", No. 55/2014) allows the parties to arrive at a dispute resolution through negotiations with the participation of authorised intermediaries, and thus avoid court proceedings. This alternative procedure is voluntary, based on the principle of equality, and allows the parties to take part in outlining and defining the final solution. At the same time, the mediation process is informal, fairly brief and confidential, and the parties can reach a compromise solution within a reasonable time, whilst protecting the confidentiality of their business and preserving their reputation.



Ines Bajević, Lawyer

Here are some of the main advantages of mediation:

- An agreement on dispute resolution through mediation can have the force of a **writ of execution**, provided that it is certified by a notary public and contains a provision whereby the debtor agrees that the creditor, upon the claim becoming due, may initiate enforcement proceedings based on such agreement;
- Proposals, opinions and positions of the parties, the readiness to accept the proposed way of dispute resolution, documents filed solely for the purpose of mediation, as well as the statements of witnesses, cannot be used subsequently in other court, arbitration or other proceedings, which allows the parties to take a constructive part in negotiations without fear of their initiative and openness being used against them in some other proceedings;
- Initiating mediation causes interruption in the running of the statute of limitation for claims and special deadlines for filing action, for a period of up to **60 days**;
- Parties may be exempt from certain court or administrative fees, if the agreement on dispute resolution through mediation is achieved during the court proceedings.

Should you opt for this kind of more efficient alternative dispute resolution, our Office offers professional and comprehensive mediation services by our licensed mediators.

Should you need additional information or advice on alternative forms of dispute resolution, please contact Ines Bajević at ines.bajevic@tsg.rs