BASIC MEDIATION TRAINING

Day One

Morning: 8:30 am – 11:30 am

I. Introduction
   A. Break the Ice
   B. Class Overview
   C. Administrative
   D. Expectations
   E. The Burning Boat Role Play

Break: 10:00 am - 10:15 am

II. Watch Sample Mediation

III. Mediation Theory
   A. Introduction to Mediation
      1. History
      2. Goals and Benefits
   B. 3 Basic Qualities of Mediation
      1. Autonomy
      2. Confidentiality
      3. Impartiality
         a. Gaining trust
         b. Creating a “Thinking Environment”
   C. The Role of the Mediator
      1. The Spectrum of Ideas – Facilitation, Evaluation, Transformation
         a. Definitions
         b. Riskin Grid
         c. Mediator’s Tool Box
      2. Assisting Decision-Making

Lunch: 11:30 am – 12:30 pm

Afternoon: 12:30 pm – 4:30 pm
IV. The Mediation Process
   A. Overview of Process

   B. Convening
      1. Pre-Mediation Concerns
      2. Creating Safe Space
      3. Agreements to Mediate

Break: 2:00 pm - 2:15 pm

C. Opening Statements
   1. Content of Opening Statements
   2. Watch Sample Opening Statements

***Prepare Opening Statement for Role Play for Day Two***
Day Two

Morning:  8:30 am – 11:30 am

C. Opening Statements cont…..
   3. Role Play Opening Statements

D. Communication/Information Gathering
   1. Information Sharing
   2. Active/Reflective Listening
   3. Framing
   4. Reflective Statements
   5. “I” Statements/Non-Violent Communications

Break:   10:00 am - 10:15 am

E. Negotiating
   1. Negotiation Theory
      a. Prisoner’s Dilemma
      b. Negotiation as Mixed Motive Exchange
         i. XY Game
         ii. Tit for Tat

Lunch:    11:30 am – 12:30 pm

Afternoon: 12:30 pm – 4:30 pm

   c. Distributive Bargaining
      i. Car Role Play
      ii. Predictableness
      iii. Respecting the “Dance”
      iv. Determining Opening Offer
   d. Conflict Theory
      i. Defining Conflict

Break:   2:00 pm – 2:15 pm

   ii. Conflict Styles
      • Style Assessment
      • Style Graph
      • Important Distinction between competition and collaboration
   e. Integrative Bargaining
      i. Expanding the Pie
      ii. Going “Below the Line”
      iii. Benefits of Integrative Bargaining
      iv. Role Play

***Prepare Contractor Mediation for Day Three***
Day Three

Morning: 8:30 am – 11:30 am

Negotiation continued…..

2. Mediator as Facilitator of Negotiation
   a. Generating Options
      i. Pivoting from Past to Future
      ii. Problem Solving Brainstorming (video)
      iii. Mediator Suggestions
      iv. Evaluating Options

Barney & Betty Role Play

Lunch: 11:30 am - 12:30 pm

Afternoon: 12:30 pm – 4:00 pm

b. Caucusing
   i. Considerations
   ii. Contractor Role Play
   iii. Watch Video of Contractor Role Play

Video of Sample Mediation

***Prepare Employment Case Role Play for Day Four***
Day Four

Morning: 8:30 am – 11:30 am

F. Closing

G. Agreements
   1. Agreements to Mediate
   2. Memorandum of Understanding
   3. Settlement Agreements

Lunch: 11:30 am – 12:30 pm

Afternoon: 12:30 pm – 4:00 pm

V. Specific Mediation Issues
   A. Impasse
      1. Settle Tips
      2. Reality Testing Costs
      3. Mediator Proposal

   B. Difficult Behavior

   C. Psychological Traps

   D. Surprises

   E. Apology

   F. Domestic Violence

Employment Role Play

***Prepare “Saving Last Dance” Role Play for Day 5***
Day Five

**Morning: 8:30 am – 11:30 am**

VI. Mediator Ethics
   A. Overview of Standards
   B. Handling Confidentiality Issues
   C. Questions of Competency
   D. Remaining impartial
   E. Conflict of Interests
   F. Ethic Snippets

Saving the Last Dance Role Play

**Lunch: 11:30 am - 12:30 pm**

**Afternoon: 12:30 pm – 4:30 pm**

Saving the Last Dance Role Play (cont.)

De-Brief Role Play

VII. The Practice of Mediation
   2. Fees
   3. Insurance
   4. Reading List

VIII. Questions/Open Discussion