

PRINCIPLES OF MEDIATION

- **VOLUNTARY**

- *AGREE TO PARTICIPATE
- *RIGHT TO WITHDRAW
- *ALL DECISIONS MADE FREELY

- **INFORMED CONSENT**

- * ABOUT THE PROCESS
- *ABOUT RIGHTS, OPTIONS, RESOURCES
- *CAPABLE TO PARTICIPATE

- **CONFIDENTIAL**

- *MEDIATORS WON'T DISCUSS OUT OF SESSION
- *MEDIATORS WON'T REPEAT PRIVATE INFO IF ASKED NOT TO

- **NEUTRAL**

- *MEDIATORS WON'T SHOW BIAS IN WORD OR DEED

- **SELF-DETERMINATION**

- *PARTIES HAVE THE RIGHT AND ABILITY TO SOLVE THEIR OWN DISPUTES

MEDIATION STEPS

1. INTRODUCTION

WELCOME – GIVE INFORMATION

2. FIRST JOINT SESSION *(everyone together)*

GET INFORMATION – *WHAT HAPPENED?*

MEDIATOR BREAK – MAKE A PLAN

3. FIRST PRIVATE SESSIONS *(each person alone)*

GET INFORMATION – *WHAT'S THIS BEEN LIKE?*

MEDIATOR BREAK – MAKE A PLAN

4. LATER PRIVATE SESSIONS *(each person alone)*

TRANSMIT INFORMATION – *WHAT DO YOU WANT TO DO?*

MEDIATOR BREAK – MAKE A PLAN

5. LAST JOINT SESSION *(everyone together)*

LOOK AT OPTIONS – *DECIDE WHAT TO DO*

6. WRITE AGREEMENT

WIN-WIN, BALANCED, CLEAR, SPECIFIC, WORKABLE

MEDIATION PROCESS

- **WHAT HAPPENED?**

JOINT SESSION

- **WHAT'S THIS BEEN LIKE?**

FIRST PRIVATES

- **WHAT DO YOU WANT TO DO?**

LATER PRIVATES

- **HERE'S WHAT YOU AGREE TO**

LAST JOINT and AGREEMENT WRITING

*A MEDIATOR IS EDUCATED BY THE PARTIES

*MANAGE THE PROCESS – NOT THE OUTCOME

*ALWAYS ADHERE TO THE MEDIATION PRINCIPLES