



Mediator's Break

Monthly News & Updates

May 2024

"It's important to imagine what it would be like to be in their shoes!"

John O'Toole

Events and Happenings at Cape Mediation

False Negotiators

One of the most difficult scenarios we can encounter in a mediation is when it appears that someone is not mediating in good faith. The Massachusetts court system strongly encourages people to resolve their disputes outside of the courtroom. It is our experience as mediators that the vast majority of people involved in court actions that choose mediation prior to trial come to the table in a good faith effort to resolve their dispute. They know that using Alternate Dispute Resolution (ADR) greatly reduces the cost and the time needed to resolve the matter and those involved have a greater satisfaction in the outcome because they were the ones that decided what the resolution would look like. Unfortunately, sometimes people choose mediation for the wrong reasons. In a recent article in the Harvard Law School Program on Negotiation's Daily Blog, April 9th, 2024, the staff explores how to identify and deal with false negotiators. To read the article, follow the link [Bargaining in Bad Faith: Dealing with "False Negotiators" - PON - Program on Negotiation at Harvard Law School.](#)

Navigating Difficult Conversations & Building Consensus

**Conflict is going to happen,
but it doesn't have to destroy deals or ruin relationships.**

On April 23, 2024, the Cape Cod and Islands Association of Realtors (CCIAOR) once again welcomed the Cape Mediation team to their annual Leadership Academy for our workshop on **Navigating Difficult Conversations & Building Consensus**. Anne, Karen, Maggie, and Allyson presented skills, skits, stories, and team-building exercises focusing on how to prevent or resolve conflict using collaborative and mediation problem-solving techniques through more constructive communication. Participants were introduced to important tools for dealing with daily conflict and to help them better understand conflict and learn how to work toward consensus and resolution. The workshop encouraged participants to look at conflict from a new perspective, learning to effectively manage future conflicts. We want to give a special thank you to the participants of this workshop, our volunteers, and Pat Pry from CCIAOR for having us! If you are interested in learning more about our conflict management workshops, please [contact us.](#)

Complete our Remote Intensive Mediation Skills Training in Only 5 Weeks! Classes Begin May 28th

Take the first steps in becoming a Mediator by enrolling in our 33-hour Remote Basic Mediation Skills Training. This five-week training will be held on Tuesdays from May 28th through June 25th. Learn skills that can help you overcome bias in negotiation and better manage business, organizational and personal disputes. This intensive training includes mediation theory and skills, as well as live hands-on role-play practice with experienced mediators. Conflict Management skills are more important than ever in this time of stress and division. Mediation skills will help you to become more productive at work and in your personal relationships. Online learning can be challenging, we

get it, so our trainers are available for live one-on-one sessions throughout the training. Visit us on the web at CapeMediation.org to learn more. Registration opens May 3rd! To learn more or register click the button below or visit our website at capemediation.org.

[TO Learn More Or Register](#)

How Do Lessons in Mediation Apply to Everyday and Professional Life

The skills we learn in mediation can help in our everyday and professional life. This month we spoke with realtor, Maggie Fearn, to learn how mediation skills help her.

"In guiding our clients through a property sale or purchase, Realtors understand the experience is inherently emotional. On top of the upheaval and stress of moving, these events involve someone's home and/or personal investment, which for many people is the most valuable physical asset they will ever own.

Alongside our clients' own feelings and behaviors are those of numerous others: attorneys, lenders, inspectors, and the "shadow parties" who are not principals to a transaction but influence it – think children, family members, well-meaning friends, armchair experts.

Meanwhile, on the opposite side are people with their own objectives and sentiments, as well as (probably) a Realtor doing their best to manage a similar dynamic. Often, the only way an agent can influence the other party is through their Realtor, making that agent-to-agent relationship pivotal.

No wonder even the smoothest deal can feature some degree of tension or miscommunication. "I'm a full-time therapist who occasionally shows houses" is a flippant Realtor adage. Thankfully, mediation skills can be deployed at every stage of a transaction to improve communication, build trust, and – ideally – lead to a happy ownership transfer. Just a handful of in-the-field examples:"

[Click here to read the entire article!](#)

.To learn more about our Conflict Management workshops, Mediation Skills Training, or to participate in mediation, please visit us on the web at capemediation.org.

The Board's Corner

Our eight-member Board has had a busy and productive winter and spring. Over the past several months we have completed a revision of the CM bylaws, which added a fourth officer, Vice President, to the current President, Treasurer and Clerk. This will allow for better succession planning and distribute more of the Board's tasks. Our employee leave policy was updated to a PTO system, which has been implemented for 2024. Our basic mediation skills 33 hour training program, the foundation of many of our programs, will again be offered remotely, with the first class scheduled for the end of May. Work has also begun on the FY 2025 budget, which is targeted to be finalized in July. We are fortunate to receive some grant funding for our programs, but we still need to raise matching funds to accept grant money and continue to expand our program offerings. Fundraising, as for many non-profits, is always on our mind. We thank you for your support!



May 2024

UPDATE: We are back in person in the Orleans District Court to provide our Mediation services for Summary Process and Small Claims matters every Thursday! If you are an experienced Cape Mediation volunteer and interested in joining the in-person panel, please [contact us](#) to join us for our next **Orientation & Refresher**.

Thursday, May 2, 2024, 9:00 AM - Orleans District Court In-Person Court Mediation.

Thursday, May 9, 2024, 9:00 AM - (SU ONLY) Orleans District Court In-Person Court Mediation.

Thursday, May 9, 2024, 4:00 PM - Discussion & Debrief for Mediators and Conciliators. Please join your fellow Cape Mediation volunteers for our bi-monthly meeting held remotely on Zoom. The discussion is open to all Cape Mediation volunteer Mediators and Conciliators. [Contact us](#) to join the discussion or look for the notice in your inbox.

Thursday, May 16, 2024, 9:00 AM - (SU ONLY) Orleans District Court In-Person Court Mediation.

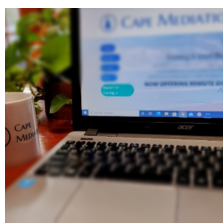
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Tuesdays, Beginning May 28th - Cape Mediation will once again offer our **Remote Basic Mediation Skills Training**. This five-week program will be held on Tuesdays, beginning May 28th through June 25th. This is a fully remote course with full-day classes held from 9:00 AM-12:00 PM and then 1:30-4:30 PM. The morning session will focus on mediation theory and skills. The afternoon session will focus on live hands-on role-play practice. [Register at CapeMediation.org](#).

Thursday, May 30, 2024, 9:00 AM - Orleans District Court In-Person Court Mediation.

Visit CapeMediation.org



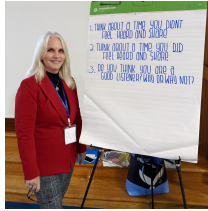
Submit Your Request for Mediation and Conciliation Services Online!

Submit your request to schedule a Mediation or Conciliation on our website at CapeMediation.org and fill out a [Request for Services](#) form. After we receive your request, one of our experienced case coordinators will contact you to learn more. **You may also reach us by phone at 508-240-1717 or by [email](mailto:info@capemediation.org) at info@capemediation.org.**

**Advanced Dispute Resolution
Skills Practice Training**

Cape Mediation's Advanced Dispute Resolution Practice Training Program is for newly trained neutrals and for neutrals that wish to gain additional advanced hands-on experience. This program provides an invaluable opportunity to practice mediation and conciliation skills, and is held remotely by Zoom. You will be paired with experienced neutrals under the supervision of our Volunteer Development Coordinator. It is an important next step for anyone involved in the field of Dispute Resolution. [READ MORE](#).. To Register visit us on the web at

CapeMediation.org or click [Register](#).



Cape Mediation's Youth Conflict Resolution Programs

Cape Mediation now offer programs in Youth Conflict Resolution training, Youth Peer Mediation, and Youth Conflict Management workshops. **To start a Youth Conflict Management Program or host a workshop at your school or organization, please email our Youth Coordinator, Maura Smith Stein, at mauras@capemediation.org.**



Mediator's Break is Online

Want to reference an old newsletter but your inbox is, well, a little overwhelming and you'd rather not scroll back to find the needle in the haystack? Don't fret -- now you can access our Newsletter from our website, www.CapeMediation.org, along with archives. [Click Here to View Current and Past Newsletters](#).



Stay Up-to-Date on Cape Mediation News and Events

Stay up to date with news and information, articles and our calendar of events at Cape Mediation and in our community. [Click Here to View News and Events](#).

Books & Beyond

The Black Swan Groups Negotiation Mastery YouTube Video on The Top Negotiation Mistakes That Miss You The Deal! with Don Feiselman and Sandy Hein and Troy Smith. The video, highlights **W.A.I.T. (Why Am I Talking?)**. You can find the video at <https://www.youtube.com/watch?>

Happenings



Overcoming Resistance: The Influence Equation Live online program by Harvard's

Program On Negotiation, PON Faculty, Stevenson Carebach. June 18, 2024, 9A-5P. Through breakout sessions, exercises, role plays, and other hands-on experiences, Carlebach will explain what to do when you encounter resistance. This session will introduce you to the Influence Equation—a simple, high-impact framework that can help you identify and overcome three major factors that fuel resistance in any given negotiation. Register at PON at PON.Harvard.edu or by clicking **Register Today**.

Free (REMOTE) Trial Court ADR Conciliation Training

Do you have On May 2nd and 3rd from 8:30 AM-1:00 PM, The Massachusetts Trial Court is offering it's Free ADR Conciliation Training for attorneys that have practiced for at least three years in Massachusetts and are in good standing with the Board of Bar Overseers. To Register contact the Office of Chief Justice Stacey J. Fortes by calling (617) 788-8810 or by email to AODC@jud.state.ma.us.

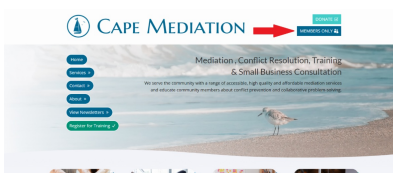
For Cape Mediation Staff and Volunteers



Keep Us Updated!

Don't miss out! Do you have a new email address, phone number or mailing address? Would you like to mediate in person? Are you interested in getting more involved with Cape Mediation or have an idea for a workshop? We want to know! Click the link below to share your updated information with us.

Click here for the survey!



Cape Mediation Website Members-Only Page

The Members Only page on the Cape Mediation website is open to all Cape mediation active volunteers and staff. Find: Events Calendar, Open job positions, Debrief Highlights, and more! This page is open to Cape Mediation staff and volunteers.

Volunteer Sign-Up!

Volunteers can now sign-up to volunteer to mediate and conciliate through the link on our Members-Only Page.

Volunteer Calendar

See important dates and happenings listed on the Volunteer Calendar located on the Members-Only Page.

To request access to this page, please email Peter at:
[***peterkelsey@capemediation.org***](mailto:peterkelsey@capemediation.org)

New to Members-Only Page!

The most recently updated Conciliation Process is now available on the Members-Only Page for your review and reference!



Interested in Becoming More Involved?

If you are interested in becoming more involved in any of our programs, please **reach out!** Additionally, if you are interested in volunteering in our Remote Dispute Resolution programs, but are unsure about the process or technology, we want to help! We will schedule you for to observe or pair you with someone with experience in telephone and videoconferencing to help. **Contact us.**

Cape Mediation's Google Groups Discussion Board

We invite all Cape Mediation volunteers to join our virtual Dispute Resolution email discussion group where we share information about job opportunities, news and articles about the world of Dispute Resolution. **This group is open to Cape Mediation staff and volunteers.** If you have not already joined, please **contact us to join.**

Discussion & Debrief

Whether you are an active remote mediator or conciliator, want to keep your skills sharp, or want to learn more about our remote process, please join us as we debrief our sessions. During the debrief we talk about which skills worked best and what other skills might have been used, focusing on challenges and skills. **Debriefs are open to Cape Mediation staff and volunteers.**

Skill-of-the-Month

Don't be shy about sharing your feedback with us – we want our next Skill of the Month Discussion to be even better! *Please send any feedback to Peter at: peterkelsey@capemediation.org*

VOLUNTEER AVAILABILITY FOR JUNE 2024

If you have not already signed-up, please send us your available volunteer dates by clicking the button below. We offer mediations and conciliations remotely weekdays, both in the morning and afternoon. We also are excited to be back in-person offering mediations at the Orleans District Court House on Thursdays.

If you have not mediated or conciliated remotely, consider giving it a try. We will pair you with an experienced remote volunteer and we are sure once you try it, you'll like it!

MY JUNE AVAILABILITY

Our Coordinators are There!

Our coordinators are always there to help and to answer any questions that may come up when

We Will Take Care of the Tech!

Don't know how to run breakout rooms? Never hosted a Zoom meeting? No problem! A tech

you volunteer.

person is available for **ALL** programs to take care of the tech so you don't have to!

Support Cape Mediation



Support Cape Mediation

Your donations help us continue to provide high quality services to our community. For a small organization like Cape Mediation, the cliché "every dollar counts" holds true. **Donate Today.**



Show your passion for The Process!

Visit the Cape Mediation store for all things Cape Mediation. Proceeds benefit Cape Mediation's ADR programs in our community. **Visit our store.**



Donate with Amazon Smile

We're on Amazon Smile if you'd like to make donations at no cost to you - just follow **this link** and for every purchase you make on Amazon, Amazon will donate 0.5% of the price to Cape Mediation. It may not seem like much, but it all adds up!

DONATE TODAY

Follow us on Social Media
Follow Us on Social Media

Want to stay in touch on a platform that isn't email? Follow us on Instagram or Facebook where you'll find up-to-date information, workshop and training announcements, and more!



More Information

About Us

Visit: CapeMediation.org/About/

National Association for Community Mediation

Visit: NAFCM.org

Resolution Massachusetts

Visit: ResolutionMA.org



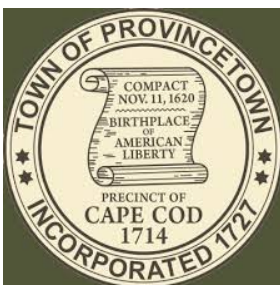
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Foundations and Businesses





CAPE
MEDIATION

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