1 DAY INTRODUCTION TO MEDIATION

Presented by

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Traditional methods for resolving disputes
Conventional methods for resolving disputes
A way to resolve disputes, which is

- Voluntary
- Flexible
- Confidential
- Without prejudice
- Facilitated by a neutral
- Parties control the outcome
1 Day Workshop

Who uses mediation?

• Family
• Commercial
• Community
• Work place
• International relations
• Planning
• Construction industry

• Actually, any civil dispute can use mediation…..
1 Day Workshop

• Fair and transparent
• Quick and informal
• Able to deal with issues (which courts cannot)
• Economically viable
• Able to maintain relationships
• Able to deal with emotive issues
• Adaptable
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- Voluntary
- Confidential
- Non binding
- Without prejudice
Mediation can play a part in all of these elements.
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- Releases pressure off “wired” people
- Moves from entrenchment to forward planning
- Mediator acts as catalyst
- Safe forum to explore people’s needs
- Is flexible not “rule bound”
- Active listening
- Reality checking
- Gets innovative solutions
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- Relentlessly neutral
- Non-judgmental
- Avoids assumptions
- Empathetic
- Actively listens
- Is discreet
- Knows when to listen, speak, be discreet
- Is respectful
- Has patience
- Is tenacious
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- Leaving offers open
- Narrowing the issues
- Returning to litigation
- Mediation is “without prejudice”
- Leaving return to mediation open
- Paying for the mediation
- Litigation costs
## 1 Day Workshop

### Pre-Mediation (Before the Mediation)

### Day of Mediation

<table>
<thead>
<tr>
<th>Session</th>
<th>Activity</th>
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</thead>
<tbody>
<tr>
<td>Joint Session</td>
<td>Mediation’s opening statement, Parties' opening statement</td>
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<tr>
<td>1&lt;sup&gt;st&lt;/sup&gt; Private Session</td>
<td>Building rapport &amp; extracting a comprehensive narrative, Exploring and analysing the dispute</td>
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<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt; Private Session</td>
<td>Generating options for settlement and negotiating</td>
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<tr>
<td>3&lt;sup&gt;rd&lt;/sup&gt; Private Session</td>
<td>Bargaining and choosing options for settlement</td>
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Finalising an agreement or confirming deadlock
Mediation

Neighbour disputes - new service launch for 2011