

A Curriculum in Mediation™



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Peer Mediator Training Workshop Presenter Notes - [view page 07](#)

07 Welcome, Opening Statement & Mediation Rules Agreement - M2

Need: MITs in quads with workbooks and pen/pencil

PLEASE NOTE: The information below **supplements** the specific flow and process directions of the *Student Workbook* pages and is reflective of the theory and practice delineated in the 12 page pdf *Conflict Management* booklet. Therefore, this "teacher's guide" information, the *Student Workbook* information and the *Conflict Management* booklet *work together* for presenters' preparation and should be considered integral to one other. *No document stands on its own from a presenter's preparation viewpoint.* Use the [view page ___](#) link above, page by page, to view related *Student Workbook* pages. Download the 12 page pdf *Conflict Management* booklet to your desktop, read it once, and have it ready as reference as you proceed with preparation.

EXECUTIVE SUMMARY

Welcome, Opening Statement & Mediation Rules Agreement <[07mit.pdf](#)> (5.1 MB) [07M2] [view](#). Make note, to MITs, that the mediation journal from their folder pocket is going to be shown graphically in small segments such as figure 2, throughout the day. We do this so that we can carefully focus on the step of the mediation process under study *at the time*. The first 1/2 of the page gives practice in housekeeping tasks such as the welcome, gathering names, mediation rules discussion, agreement with rules, development of awareness of the little preliminary agreements and the handling of the constant, "who goes first" issue at each step in our process. This is a good place to discuss the rules of mediation. Roles are rotated two places/seats/positions midway through this part. MITs are left to figure out a who-goes-first (which disputant) method which is discussed in the large group. The remaining bottom 1/2 of the page is a gateway to mediation skills training and theory. A [graphic](#) shows us that this information acquisition is necessary for the completion of the story telling step which comes next. The list of four items on the left is to be studied via the list of the corresponding items/activities on the right. We usually begin by saying that to proceed any farther, we need to get some "training" in the areas in the left column. This can be hard (boring, tedious) for MITs and we try to do it early when they are fresh. But, do it, we must. We did give them a taste of the role play here, at least, and we shall return to the role play as soon as possible.

This is our beginning with our work with the *Mediation Journal* (aka "journal," printed back to back) which, if our [download/print/assembly instructions](#) were followed, should be residing in the back inside pocket of the *Student Workbook* (aka "workbook"). The journal has everything (and more, for *some* schools) that one would ever want to know about the steps of conducting a mediation. It can be used throughout the year in actual mediations, or schools may want to devise a [simpler form](#) with a separate set of instructions for mediators. This can be decided later in your periodic meetings with your mediators. [Cindy Klinger](#), counselor in the Wm S. Hart District, has created still another version and companion supporting booklet which *some* of her peer mediators prefer.

Figure 2 on **M2** is typical of what we will be using for the rest of the day. A *small segment* of the journal is excerpted and displayed for MIT viewing and attention focus. In some cases, lines and arrows will be drawn to point out locations of various elements on the journal. They are intended to be helpful to our

understanding of flow and content of today's work. Some of the text is in question form to promote learning and discussion, some text describes role plays and still other text indicates that training theory is to be presented. ***There is not the usual table of contents in this workbook! It is designed to read and flow, "as is" with the information you are reading here and now to assist you, as presenters, in this process.*** When it's time to address a particular aspect of theory, the theory to be examined and worksheets upon which the students may write, are provided nearby (in the workbook) and its "numbered/coded" (e.g., (7) **M2**) pages. We will be directed in this fashion, here and there (hither and yon if you are reading this in TN) throughout the day.

We begin with a *pair* of mediators (co mediator & recorder) side by side--which facilitates their mediator *pair communication*--facing (across a table, or set of four joined student desks) a *pair* of disputants (Pat & Kelly) who will usually begin a bit apart from one another--symptomatic of their dispute. The table [placard](#) should be appropriately oriented. This is our *structured* setting for mediation where mediators are equally close to disputants to model impartiality. Pat and Kelly's "places" should have equal features. It would **not** be appropriate to have Pat in a cushy chair with a pad and pencil (from us) and Kelly sitting on a file box with nothing, for example. Mediators, as recorders, then enter Mediation Journal information from the disputant to the left of him/her, on the left sections of the journal. Similarly, the right side is addressed. **THIS** is the reason (from last page's RULES) that Pat and Kelly parts are acted out from the *same* diad seat/desk each time. It's a spatial thing to help us call disputants by their correct name--a symbol of our respect for them.

Mediations eventually open with a **welcome** to the disputants by the MIT mediators, but we as presenters first must discuss *what* that activity includes in question 1, below figure 2. We tell mediators that *they* must decide a number of "housekeeping" tasks which questions 2 & 3 address. The seven (7) rules by which we will abide during the mediation are on the journal and should be fully understood by the MITs. Now is a good time to have everyone look at them (read each out loud) and ask/answer any related questions. Tell MITs to make it a habit to arrive for mediations early enough to make these sorts of decisions, arrange furniture and to get themselves "centered" so that the mediation process is not hindered. This could be the subject of the school mediation coordinator's first post training meeting with his/her peer mediators--getting ready to mediate effectively.

A valuable sidelight to this day will be to count our "little agreements" involving the disputants along the way. These are *precursors* to the final agreement to this dispute and subtly set the emotional scene for that final **AGREEMENT** - see back of journal. When mediators get the disputants to agree to the eight rules, we will then have nine things that they agree upon - the eight rules plus even agreeing to this mediation process! MITs should be encouraged to gently congratulate the disputants with something like, "We're off to a good start. We all agree on nine things so far." Disputants will most likely be unimpressed, but I said this was a *process*, and our *process* has begun. And, as we mention ahead, these little agreements will be followed by far more substantive *little* agreements. The language, "we," connotes, at this point, the inclusion of the mediators in **all** of these little agreements. We are building teamwork, or "community," or momentum here among the MITs in each quad in training, but are also developing good habits for actual mediations. This developing awareness in disputants (perhaps grudgingly at this point) of their **shared interests** which are **greatly hidden** by the "cloud and clash" of their *separate* interests in the dispute, will pay future dividends. Our **process goal** is to gradually dissolve the **effects** of that cloud into nothingness, eventually, by really *looking at stuff for the level of value*, if any, it *really* holds for each of the disputants. In a way, we are having them better clarify *their* values and choices vis a vis the elements of this dispute via *our* process.

This first activity has each diad practicing steps 1-4 on the journal - **welcome, recording names** according to

seating location (that habit helps to remember, who's who) and **reviewing our seven rules** with disputants. Presenters circulate about the MIT quads being ready to answer questions. This is the MIT's first try at this journal process and some may have questions. Make certain that any process or format questions are answered *before* you leave this section for your next step -- the beginning discussion of question 5.

Proceed to the discussion of the answer to question 5. **Any** answer that gives the impression of current *and* future **fairness and balance** will do. What I did, *if I knew*, was to ask the disputants if it was OK for the person who initially requested the mediation to go first *here* with a promise to let the other go first at the "next" step. Notice the subtle empowerment I give *them* while *I* retain control of this *process*. Continue by saying, "We'll go back and forth that way for the whole mediation. Be assured that both of you will get to say whatever is needed today when your time comes. We are in no hurry."

As question 6 states, we have some terms that are on the journal and with which, we must become familiar, or understand. This is done this way after but a brief foray into the mediation and its journal so as "wet" the MIT's appetite for the role play and create the *felt need* for "theory" instruction. Add a brief Q&A to prove that knowledge acquisition *is* needed before proceeding, if you wish. This next section of training is sometimes hard and a bit boring for some and if you are in a prison school setting, idle threats may work to get them excited about theory. But, most likely, you are not--in the prison setting, that is. Assure MITs that this is simply "boot camp" stuff!

What then follows is a discussion with activities related to: **1. Active listening, 2. Non verbal communication 3. Open Style questions**, and a wee bit later, **4. Hidden agendas**. Hard work ahead, but *work* we must! Maybe a break half way through is appropriate - it's the presenters' decision. This section can be like pushing on a loose rope while swimming upstream. Pull out your best tricks from your teaching "bag" here.

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