

# A Curriculum in Mediation™



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**Peer Mediator Training Workshop Presenter Notes** - [view page 08](#), [view page 09](#), [view page 10](#), [view ALF](#)

**08 Some Useful Probes for Active Listening**

**09 Two Active Listening Opportunities**

**10 Active Listening Worksheet**

**ALF - A List of Some Feeling Words**

Need MITs in Quads with workbooks and pen/pencil.

The *List of Some Feeling Words* at hand, somewhere--one/MIT.

*Focus on Feelings* poster readily visible

Krista & **Michelle role play handout for one pre-selected MIT** and trainer - text provided below for cut/paste/print purposes.

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 SUMMARIES

**Some Useful Probes for Active Listening** <[08mit.pdf](#)> (228 KB) [08 ALP] [view](#). Contrast listening (e.g. to TV) vs active listening (interested dialogue) with MITs. One of the job description items for mediator is that we *listen* - like we did a few pages ago. Lists of two types of questions, *clarifying* and *restating*, are found on this page. Students may add some more under each list. Both types of questions are designed to promote communication in the mediation. We ask, "Have you ever been at a loss for words with someone? Well here are some really good icebreakers. You can even use them during high school dating!" We ask the MITs to remember that they have the list in their workbooks and to pick a few now with which they are comfortable for the next task. Mixing and matching questions is fine. Next we look at one or two situation possibilities to practice our questioning skills. For "I" statement fans, this is all we do in that area. Presenters point out that "I" type statements have less of an "attacking" feel to them than do "You" statements which may put others into a defensive mode. This is the style that they should use, and then leave it at that. A heavy emphasis on "Focus on Feelings" and "Lancing the Boil" is included. To save everybody's time, we focus on the disputants' feelings ASAP to that we can get past the "blinding" anger driving the conflict and be better able to have disputants choose *another way* to address their dispute.

**Two Active Listening Opportunities** <[09mit.pdf](#)> (220 KB) [09 ALO] [view](#). This page sets up our work with the next (ALW). As we read the scenario in each case, we begin to think of some helpful active listening type questions that we might use to get things going. Remind the MITs that disputants who are most likely new to the mediation process may feel totally awkward and maybe afraid. We as mediators need to gently open them up to process with our inquiry and feeling questions. It's the process of starting to "look" at things as clearly as we can so that we may make some choices that can get us out of this dispute. As time permits, or needs via CFUs dictate, do one or two scenarios and discuss each at its conclusion of the work on the next page (ALW).

**Active Listening Worksheet** <[10mit.pdf](#)> (200 KB) [**10 ALW**] [view](#). This is where the two pages prior (**ALP & ALO**) bear fruits of your labor, hopefully. Directions at the top should be read aloud for review and assurance. Then do one scenario and discuss MITs questions. MITs need to know that some, or all, will struggle a bit here. Give lots of positive verbal encouragement to "on target" questions. Gently and persistently correct mistakes. We use a target poster to show how close the MITs are getting to our goal with their questions. Move a sticky" to the ring on the target that represents the degree of their accuracy. If time permits, do a second scenario if all the MITs didn't "nail" the first scenario. Or save it for later review of active listening question creation. A special form of active listening questions - open questions - is discussed next. Be certain to link the work ahead with what we're just done. We are deepening our questioning skills. A continued focus on feelings, lancing the boil, and keeping the dispute with the disputants is involved here.

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Begin by restating the definition of mediation as a *process* which is *cooperative* (working toward *shared interests*) that helps disputants to find *their own win-win solutions* to their dispute. Refer back to video and the manner in which those mediators behaved. *Neither took sides in the dispute. Their active listening skills helped them to do this.* One presenter briefly discusses the *difference between hearing and listening* wherein *listening* involves a particular "focus" on what is heard. A daydreaming student may *hear* a teacher but is not *listening* by our definition here.

*Active listening* is an even higher level of "listening." It is in fact, *a communication skill used by professional mediators* as well as many adults in the "helping" professions such as psychotherapy. It facilitates disputant expression, recognizes disputant self worth and promotes understanding from a neutral mediator stance.

On the writing board, a presenter writes: "**Listen, Ask questions, Restate**"

Focus on feelings! Emphasis is now placed on how to ask feeling level and related questions. This saves time as we get at the hearts of the disputants which leads us to the heart of the matter (dispute). Refer freely to the *Focus on Feelings* display poster throughout your discussion here. Feelings are not all the information that we need BUT are important to express and to look at.

**Expand these concepts - LISTEN, ASK QUESTIONS, RESTATE** - with, "listen for the *main idea, problems, issues, concerns, needs, including feelings.*" **ALF** is a handout to be distributed *at this point* (or it may be in one of the workbook pockets) to be used in our work now and then placed in the inside pocket of our workbook for future reference.

*A rule of thumb for identifying feelings is that one can substitute, "I am" for "I feel" and still have the sentence make sense.* And, as we learned in the last century, feelings are neither right nor wrong; they just are. Ferreting out feelings may involve saying, "*I think that I heard you say \_\_\_\_\_ . Can you tell me how that feels?*" And, "*Help me to understand how you feel about that*" is often fruitful. Or, echoing back the last few words only in a questioning voice inflection, sometimes, gives a disputant "permission or invitation" to continue. If *no* feeling words are used by a disputant, a mediator can ask, "*Does it make you feel sad, glad, mad, bad?*" The *rhyme* seems to be non threatening to some.

We begin to "lance the boil" in this questioning strategy. The direction of questioning which includes the words, ". . .you feel?" keeps the focus on feelings and on the disputants. In all that follows, we keep the focus on the two people before us and their dispute and **not** stray off toward judging or assuming information about third parties. There is such temptation to avoid the issues of hard feelings. **Keep the**

*dispute WITH the disputants, also. Do not offer solutions or advice. Pretend that you are wearing your "Teflon reflector suit" at all times.* Gently and persistently return the issues BACK to disputants that they may grapple with them under your caring control. *Never, in any manner, attack disputants with your questions--be careful to avoid judgments in your questioning.* Act as if you are totally ignorant of the situation and you need **them** to tell you about it. This helps to preserve your necessary neutrality. Remember, that what you are hearing is what the other disputant is also hearing. You help them to communicate with each other *through* you at this point!

**Page 8, ALP**, has many examples of *probes* to facilitate process as we will now see in our brief role play demonstration involving two role play readers who set the scene prompt for a whole class discussion.

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A selected MIT gets the part of Michelle to read aloud after the trainer reads the background of the Krista & Michelle role play.

*Below is the role play information for cut, paste & print purposes, if desired.*

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## **Background (trainer reads aloud to group)**

**Michelle and Krista are good friends. Michelle received an expensive new sweater from her mother as a birthday gift. Krista borrowed the sweater from Michelle to wear at a picnic. When Krista returned the sweater to Michelle, it was soiled. Michelle is very upset. She says: (have student read the Michelle role) . . .**

-----separate here-----

**Michele's part (read by pre-selected MIT - please select an MIT who is comfortable with being in front of the class as the whole class will need her feedback about how she felt as MIT questions were asked of her.)**

**Michele (very upset) says, "My mother is going to kill me when she sees this sweater. It's ruined! Krista's a pig--she doesn't care about anything! I let her borrow my sweater and *now* look at it! I'll never speak to her again!"**

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In the ensuing *mini role play* which follows, we want the MITs to *begin* to use their *active listening skills* as a whole group (for now) so as to *begin* to develop their confidence as *inquiring* mediators. **They listen, and then, express active listening behavior via probing questions or responses.** We, as presenters, *could possibly* start with an example such as, "What I hear you saying is that you are mad at Krista for not taking good care of your sweater..." **Or** we could let them ponder this "opening" a bit *without* an example by saying, "Now what?" It's the presenters' decision. Eventually, however, refer the MITs to the **ALP** page for some (or more) opening question or "probe" ideas. Next we ask the MITs to offer *their* suggestions for active listening questions as we develop the topic. **THEY MAY SIMPLY USE THE ALP EXAMPLES IN**

## ANY ORDER THAT FITS.

Use the target (on the heart) portion of the [Focus on Feelings poster](#) to show MITs how close they come to hitting the bull's eye in their attempt to design and ask feeling-related and feeling-evoking questions of Michelle. I move my pointer finger about the target area to provide instant feedback and positive reinforcement or encouragement to the struggling MITs. This is a key point in training. Asking effective questions during a mediation saves enormous amounts of time. Feelings and facts should *both* be addressed here.

As an editor asks a reporter to do, we want them to "*get the story*" but *with compassion*, of course. "I" statements are, by far, the preferred form of probing so as to avoid an "attacked" feeling on the part of the disputant (Michelle). Examples are, "I heard you say . . ." or "Help *me* to understand \_\_\_\_\_ when I heard you say \_\_\_\_\_."

Rather than saying, "You're not being clear," say, "*I* don't understand." Direct the *class* to use *at least* one "I" type of statement so that they can see and feel its results on disputant (Michele's) responsiveness since we have a "live" Michele here. Presenters could interrupt here and ask Michele how the "I" statement felt. The focus is also on the *listening* part of the process wherein they integrate something of what they've heard or surmised from the speaker (Michele) into *their* question or statement.

When we've asked Michelle all of our *selected* or "*created*" questions, we query her to see if we asked her *enough* of the "right" kinds of questions and gave her "accepting" *feedback* to her answers to our questions. "How did you, as Michelle, feel about how you were listened to, etc?" We want to drive home the idea of the *need for a disputant to be allowed to vent, to feel accurately heard and to feel some relief from tension* so that a little "room for reasoning" may then be opened that can possibly, *later*, lead to dispute resolution. If these factors are *not* present for Michelle, we need to ask *more* questions based on her feedback of her needs. Ultimately, *the greatest gift that mediators will give their disputants is their gift of effective active listening*. Take time here to ask the other MITs to place themselves in Michelle's "shoes" and sense how *they* would feel regarding being heard. "Where could we have done better?" is the final discussion question for this segment. In all we do, we want to lower defenses rather than raise them. Next we move to some quad work.

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We begin the quad work, now, by referring the MITs to the **ALO** sheet. A presenter reads the first scenario on **ALO** to the whole group. Each quad will *soon* discuss three possible active listening probes to use to begin resolving the issue in question and, then complete **ALW**. BUT FIRST, *before* they do this, we suggest this "**talk show host**" **mentality** idea: If MITs consider themselves as the "host" of a talk show and that they need to *ask effective questions and give meaningful answers that encourage their guest to continue to speak in an "enlightening" manner*, we would approach the "mentality" of this exercise. Presenters may want to demonstrate this idea here. Use this mentality now as we start our work on **ALW**. The detailed directions are at the top of the page. *Cooperative quad group work/discussion is encouraged here*. We are OK with our MITs pondering and struggling *a while* here in this **ALW** training exercise as we will return to it in a slightly different and more focused discussion of *open style questions* shortly.

Close this section with Q & A as needed. Next is *non verbal communication*. A **break** here nicely sets the scene for the dramatic "hook" for non verbal communication coming on the next page of the workbook.

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Below is some *additional* background information regarding **ALF, ALP, ALO, ALW** for presenters

**ALF**, *A LIST OF SOME FEELING WORDS* can be used to test our "I am" rule (above) by having the MITs try saying, to themselves, "I am" before reading some of the feeling words. Distribution of this sheet can occur when convenient prior to the discussion of feelings and mediation described above. It may be placed in the inside front of the workbook before we start, if desired.

**ALP**, *Some Useful Probes for Active Listening*, is presented in the context of the disputants having said something *already* such as a statement within part of the *initial statement* process. Rather than have disputant's statement just hang in space, the skilled mediator responds with language which helps to draw out more of the disputant's story. The skill desired, of course, is to know *what sort* of statement back (the active part of listening) should the mediator employ for a given disputant statement. The *order* of presentation individually, or as a group *on the sheet* (**ALP**) is immaterial. For example, "I hear you saying. . ." from the *second* group, "Restating. . ." ) might be the very *first* response statement a mediator in active listening mode might use. The *use of these probes is situation-dependent*, always. Also, the use of our awareness of non verbal communication and hidden agendas (in the training to come) as well as the use of open style questions (also in the training ahead) are *not linearly arranged*, but instead, are employed together from this point on. But, since we experience time in a linear fashion, *we will study them in a linear fashion, but employ them holistically*. The seasoned mediator jumps all around using these skills and sensing their needs simultaneously, it would seem. Pep talks and meetings during the coming year can be used to review these important holistic type "skills." *This training assumes that MITs will venture out with a vague awareness of these skills*, try them, reflect on their own ability to put them to good use, and eventually, integrate them into a sort of *unconscious competence which just "happens" as they work in their dedicated and caring manner*. But proceed in our linear training fashion today, we must.

Mediators will no doubt be prone to some personal *judgments* regarding the disputants--it's human nature! These judgments become "attacks" upon disputants if mediators are not aware of them in themselves. Mediators need to continually frame *their* thinking in *neutrality*. This will help them to act and facilitate in a neutral manner with unconditional positive regard for *both* disputants.

**ALO**, *Two Active Listening Opportunities*, has two scenarios of which trainer *may* only wish to use one today depending upon time constraints. Trainers are asked to read aloud a scenario as students follow silently. MITs then select silently some of the questions from the "probes" (**ALP**) sheet.

Once selected (or made up), MITs write their probing questions onto the appropriate field on the third sheet, *Active Listening Worksheet* (**ALW**). The goal is to write the most *process-helping questions* possible. MITs then will have *listened, processed, and produced*--reflective of *H.O.T.S.* which are very helpful here. Remind them that they must *continue to listen*, even after their magnificent question is stated. Often, the mediation process moves quickly and we want to maintain our momentum.

Invite and then answer any questions about active listening. Remind them that this is just the tip of the iceberg of this skill and that they should think about these ideas tonight. Ask themselves, *How can I as a mediator be most helpful to the disputants in front of me?*

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