



**PracticeForte Pte Ltd**  
Singapore

**COMPETENCY FRAMEWORK  
FOR  
Foundation and Professional Certificate in Mediation Advocacy Programme**

Foundation Certificate in Mediation Advocacy Programme

Assessment is by way of written test.

Participants are tested for their understanding of inter alia

1. The mediation regime with relevant laws affecting mediation practice including issues like confidentiality, professional privilege and mediation agreements
2. IMI mediation advocacy standards
3. The mediation processes and how it is a departure from the adjudication model; types of mediation and its various hybrids
4. Knowing when and how mediation may or may not be a suitable process to address the issues at hand
5. Role or the changing role of the advocate in mediation and why and how it is important
6. Effective mediation advocacy and knowing how to use techniques like active listening, re-framing, to effectively support all the players in the mediation process to achieve an outcome of mutual agreement
7. Informing the clients from educating clients on mediation to persuading them to mediate to advising them during mediation
8. Preparing the client for mediator selection and in doing so, explaining the role of a mediator
9. Preparing the client for the mediation process, before, during, whether in caucus or joint sessions and then after the mediation
10. Negotiation within mediation – why is it different? Adversarial vs solution focus approach and knowing when and why to apply each. To avoid and counter unconstructive adversarial attitudes, conduct and language.
11. ATNAs (BATNA, WATNA, PATNA, RATNA) & then building and defending the ATNAs
12. Mediation contracts and the ability to draft , understand and interpret settlement agreements

## Professional Certificate in Mediation Advocacy Programme

Assessment is in two parts, written and role plays.

### Written assignments

The aim of this aspect of the assessment is to gauge participant's understanding of what makes a collaborative mediation advocate while still protecting and defending the client's interests.

### Reflective Component of Written Assignment

The aim of this aspect of the assessment is to gauge learning integration. Participants are being asked to:

Critically analyse their levels of knowledge and skill pre and post training

Describe how they intend to integrate their new knowledge and skills into their practice

Identify the ways in which they are planning to continually review and develop their capability as a mediation advocate or adviser.

### Role Play Exercises

Core competencies areas of knowledge and skills against which mediation advocates will be assessed:

1. Understanding and Application of ATNAs like, BATNA, WATNA, PATNA and RATNAs
2. Advising parties/interested parties on mediation procedural matters and options, matters to be mediated, goals and process.
3. Effective communication with the other parties and their mediation advocates or advisors
4. Choosing the right mediator for the case
5. Effective Negotiation
6. Drafting a settlement agreement
7. Information sharing strategy, when and what to reveal to opposing parties, to mediators
8. Understanding and communicating interests vs positions
9. Assessing and communicating options and reality checking with clients
10. Working with the mediator
11. Effective coaching of client, preparedness of client and mediation advocate
12. Applying effective communication skills like active listening, negotiating approaches with the other party/counsel
13. Creating options
14. Conduct and control of process including assessing when to caucus, go back to joint sessions or end the mediation