

## **ILSCA Performance Feedback Criteria**

### **I. Stage: Introduction**

<b>Step</b>	<b>Criteria</b>	<b>Yes/ No</b>
<b>1.</b>	<b>Mediator opening statement</b>	
	Setting the tone	
	Welcoming the parties	
	Process of mediation	
	Ground rules	
	Addressing the parties correctly	
<b>2.</b>	<b>Party opening statement</b>	
	Playing the roles	
	Introduction of the case	
	Stating positions	
	Conveying interests through opening statements.	

**Comments for Stage I**

## II. Stage: Communication

Step	Criteria	Yes/No
<b>3.</b>	<b>Mediator</b>	
	Clarity of communication.	
	Effective information gathering.	
	Appropriate and strategic disclosure of CI.	
	Identifying interests, needs, goals, views and emotions.	
	Using neutral and constructive language.	
	Summarizing and reframing where needed.	
	Effective use of active listening techniques.	
	Asking for clarifications in a timely and appropriate manner.	
	Dealing with impasse and obstacles.	
	Time management	
	Tracking progress and adapting the process to meet the circumstances of the process to meet the circumstances of the discussion/ needs of the parties.	
	Effective use of the procedural tools to further the mediation.	
	Supporting the negotiation through effective summarizing, identifying key information and impediments.	
	Steps taken to prevent stalling and encouraging progress in the mediation.	
	Managing conflicts at the table.	
<b>4.</b>	<b>Parties</b>	
	Ability to advance interests throughout the mediation, while recognizing and accounting for the other parties' interests.	
	Flexibility in adapting to the unexpected while advancing interests.	
	Awareness and when appropriate, assertion of the Best Alternative to a Negotiated Agreement (BATNA).	

### Comments for Stage II

### III. Stage: Problem solving

Step	Criteria	Yes/No
<b>5.</b>	<b>Mediator</b>	
	Effective preparation for the mediation.	
	Neutral framing of issues	
	Building trust in the joint and private sessions.	
	Effectively understanding parties' interests.	
	Maintenance of neutrality throughout the round.	
	Appropriateness of the decision to call or not call a caucus.	
	Helping parties separate their positions from their interests.	
	Assisting the parties to understand the impact of the present dispute on their interests.(BATNA, WATNA)	
	Identifying ZOPA	
	Encouraging option creativity without any evaluative feedback	
	Assisting in reality checking	
	Dealing with impasse and obstacles.	
	Response to offers and providing counter-offers.	
	Consistency and conformity with the client's interests.	
	Dealing with impasse and obstacles.	
<b>6.</b>	<b>Parties</b>	
	Seeking the mediator's help in the right time and in an appropriate manner.	
	Constructive response to mediator's interventions.	
	Seeking to be collaborative.	
	Negotiating in good faith.	

### Comments for Stage III

#### IV. Stage: Closure/Settlement

Step	Criteria	Yes/No
<b>7.</b>	<b>Parties And Mediator</b>	
	Creativity of solutions.	
	Response to offers and providing counter-offers.	
	Consistency and conformity with the client's interests.	
	Dealing with impasse and obstacles.	
	Outcome achieved.	
	Drafting of a settlement Agreement	
<b>8.</b>	<b>General Conduct</b>	
	Legitimacy of persuasion methods and ethical consideration of strategy.	
	Appropriateness of demeanor and response	
	Responding to emotions and concerns.	
<b>9.</b>	<b>Cooperation Between the Mediators</b>	
	Ability to work with a co-mediator.	
	Division of labor.	
	Supporting co-mediator.	

**Comments for Stage IV**