

ADR HELLENIC CENTER

50 HOURS BASIC MEDIATORS TRAINING PROGRAMME

Introduction

ADR HELLENIC CENTER provides a 50-hour basic mediators training that meets the highest international standards, while being tailored to the characteristics of our country. The training program has adapted to the Greek reality and Greek temperament, but with distinct references in the international - European experience. Using both Greek and international literature from distinguished teachers and scientists, the training combines different subjects (i.e. legal science and psychology, theory of conflict management, ethi techniques etc.), while giving great importance to role playing and simulations of real-case scenarios from the Greek as well as the international experience. Specialized references to the Greek / European legislative framework and the role of the Greek lawyer in mediation are also included in the training.

50 HOURS BASIC MEDIATORS TRAINING PROGRAMME

The ADR HELLENIC CENTER's 50-hours program of the basic mediators training (art. 3 par. I of π.δ.123 / 9/12/2011) is strictly conformed to the suggested structure and content described in the Appendix A 123/9/12/2011 of the Ministry of Justice.

This training program was certified in 2014 from the GREEK MINISTRY OF JUSTICE. ADR HELLENIC CENTER is one of the 5 centers in Greece which provide MEDIATORS TRAINING. Till May 2019 ADR HELLENIC CENTER had trained more than 250 mediators who have also succeeded in the Ministry of Justice exams for becoming accredited mediators

* In Greece, in order to enter the Ministry of Justice's list of accredited mediators, one has to pass and succeed both a written and an oral exam conducted by the Ministry, after having successfully completed a Basic Mediators Training Program by a licensed Institution.

Training Duration

The overall course duration is 50 hours. Ten hours are delivered via asynchronous e-learning, followed by 40 hours of online synchronous training delivered in 5 consecutive days, and 8 hours of exams on the 6th day. The asynchronous e-learning part is self-paced but must be completed within 14 days before the synchronous training starts. Each of the 5 synchronous training days consists of 8 training hours, and the 6th day consists of 8 hours of exams (3 hours of written exam; 4 hours and 30 minutes of oral exam; 30 minutes of self-assessment).

E-learning content

e.1 Introduction to mediation and alternative dispute resolution. – definition of mediation. – importance - purpose of mediation. – basic principles of mediation. – the role of the Ombudsman.

e.2 Introduction to the law of mediation. – distinction between mediation and other alternative dispute resolution procedures – scope of mediation - legal framework (National

and communal). – Conditions' framework (deal intermediation, liability issues, fees) – ethics and confidentiality (code of conduct - Greek / European). – distinction tasks → Ombudsman and legal support parties – Co-operation

e.3 theory: the conflict management (model Patfoort). – culture and conflict / constructive dealing of conflict. – levels of conflict and processing. – causes of conflict / possible interventions. – types of conflict / factors affecting the conflict (dynamic and analysis of conflict, phases scaling, techniques intervention). – authorities to resolve conflicts.

e.4 theory negotiations / definition of frameworks, drawing strategy and design / theory of the game.

e.5 model of emotional skills. – personal ability (self-regulation, incentives behavior). – social ability (empathy, social skills).

e.6 introduction to theory of personality (structures - basic principles of individual and group psychology) and conflict management style.

e.7 verbal and non-verbal communication

e.8 introduction to negotiations

e.9 theory of the role. – the Mediator facing himself / internal dialogue. – the exemplary character of the Mediator. – mediation as behavior (assessment, respect, professional detachment, neutrality in conflict, **put aside** our own feelings, interface). – intermediation as assistance, directional, configuration, assessment. – power in mediation.

e.10 theory: co-mediation / mediation in commercial international discrepancies, mediation in multilateral differences and mediation in cross-cultural differences (within the same country).

e.11 theory: management - the attendant lawyer in mediation.

e.12 judicial mediation

Note: The asynchronous e-learning component is **self-paced**. The trainees can complete the 10hours of theoretical training on their own pace but within the span of **14 days before the synchronous training begins**.

Preparation (7 days before the synchronous training)

Course material:

Books

1. "Mediation - offers in conflict" by Cristoph Besemer (translation: Theocharis Angelidis)
2. "Getting to Yes" by William Ury and Roger Fisher
3. "A Handbook of Dispute Resolution: ADR in Action" by Karl Mackie
4. "Success as a Mediator For Dummies" by Victoria Pynchon

5. "The Mediator's Toolkit - Formulating and Asking Questions for Successful Outcomes" by Gerry O'Sullivan
6. "Preparation: The key to Mediation Success" by Bennett Picker

Laws

1. Law 4512/2018 (mediation in civil and commercial matters in Greece)
2. Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of **mediation** in civil and commercial matters
3. European Code of Conduct for Mediators

Preparation for the role-playing scenarios

1st Day

- 1.1 Arrival of candidate mediators. Acquaintance - presentation of trainers and trainees. Presentation of the training program.
- 1.2 Demonstration of the basic mediation process by trainers (stages, opening speech, exploring and negotiation).
- 1.3 theory: the cyclic model of mediation / key transitional points of the model / process and phases of mediation [preparation (creation folder) - contract - data collection - analysis of interest - finding of alternatives - final agreement]
- 1.4 Introduction to communication techniques. → communication and intervention (active listening, recasting, abstracting, paraphrasing, reflection, submitting questions, framing, reality check) → communication skills: the art of listening. → the art of non-verbal communication [theory + display video + interactive demonstration - the importance of handshake]
- 1.5 theory: preparation before the start of mediation - early stage contact with the counterparties and lawyers – sign mediation contract
- 1.6 simulation of early stage contact between lawyer and mediator (in groups of 2 trainees)
- 1.7 theory: inaugural joint meeting (+ preparation space) - keynote speech Mediator.
- 1.8 demonstration by trainers: stage opening - joint meeting – keynote mediator's speech-opening
- 1.9 questions / answers
- 1.10 homework: preparation of the inaugural talk of the Mediator and first joint session on the basis of given script
- 1.11 completion of the first day of the training program.

Note: the day lasts from 09:00 till 18:30 and includes **four (4) 120min sessions of training** (total 8 hours) and **three (3) 30min breaks** in between the sessions to prevent 'Zoom-fatigue'.

2nd Day

2.1 overview of the previous day - comments by trainees.

2.2 simulation trainees: stage of opening speech Mediator - keynote speech Mediator.

2.3 feedback + debriefing by trainers to trainees.

2.4 theory: stage investigation / private meetings and common meetings (advantages and disadvantages - utility and application method) - participation of third parties.

2.5 practice: stage investigation, trainees (per two people performance active listening).

2.6 simulation trainees: stage investigation based case.

2.7 feedback + debriefing from trainers to trainees.

2.8 techniques trading - general principles analysis of trading.

2.9 trading as an intuitive, distributive, integrated method on the basis of interest and positions claims.

2.10 demonstration trainers: stage trading.

2.11 questions / answers

2.12 homework (given scenarios and preparation for simulation).

2.13 completion of the second day of the training program.

Note: the day lasts from 09:00 till 18:30 and includes **four (4) 120min sessions of training** (total 8 hours) and **three (3) 30min breaks** in between the sessions to prevent 'Zoom-fatigue'.

3rd Day

3.1 overview of the previous day - comments by trainees.

3.2 simulation trainees: stage exploring and negotiation based case.

3.3 feedback + debriefing by trainers to trainees.

3.4 theory: techniques development and evaluation of knowledge, as technical creativity, risk analysis, overcoming statements and resistors, barriers, scaling intensity.

3.5 balance - inequality forces. – categories power. – the evaluation and the question of power (Mediator and parties). – personal safety of the Ombudsman and the parties (mental and physical). – treatment of violence in mediation.

3.6 theory: completion stage - final agreement (+ enforceability).

3.7 demonstration trainers: completion stage - final agreement.

3.8 simulation trainees: stage trading and integration - final agreement on the basis case.

3.9 feedback + debriefing by trainers to trainees.

3.10 practice on techniques: technical creativity and technical risk analysis (exercises per three people).

3.11 feedback + debriefing by trainers to trainees.

3.12 stock - questions / answers.

3.13 role play: full simulation mediation (keynote speech - investigation - trading - completion) from all trainees in the role of the Ombudsman (changeable roles).

3.14 feedback + debriefing from trainers to trainees.

3.15 work for home (study new scenarios).

3.16 completion of the third day of the training program.

Note: the day lasts from 09:00 till 18:30 and includes **four (4) 120min sessions of training** (total 8 hours) and **three (3) 30min breaks** in between the sessions to prevent 'Zoom-fatigue'.

4th Day

4.1 overview of the previous day - comments by trainees.

4.2 practice with the subject of co-mediation (6 people).

4.3 feedback + debriefing by trainers to trainees.

4.4 simulation trainees: stage investigation, trading and integration based case (including personal feedback).

4.5 collective debriefing by trainers to trainees / editing and analysis case.

4.6 practice on techniques: management techniques, resistors and barriers - management techniques of scaling intensity and conflict (exercise per 3 people to meet impasse).

4.7 simulation trainees: stage investigation, trading and integration based case (including personal feedback).

4.8 collective debriefing by trainers to trainees / editing and analysis case.

4.9 personal work: self-assessment based on the experience of participation in simulations and the evaluation of trainees.

4.10 questions / answers

4.11 homework (a) preparation for the day teamwork per six trainees for processing a family case in mediation, (b) scenarios for role-playing.

4.12 completion of the fourth day of the training program.

Note: the day lasts from 09:00 till 18:30 and includes **four (4) 120min sessions of training** (total 8 hours) and **three (3) 30min breaks** in between the sessions to prevent 'Zoom-fatigue'.

5th Day

5.1 overview of the previous day - comments by trainees.

5.2 analysis of the group work on the family case (per six trainees) and discussion on the work of each group.

5.3 role play: full simulation mediation (keynote speech - investigation - trading - completion) from all trainees in the role of the Ombudsman (changeable roles).

5.4 feedback + debriefing from trainers to trainees.

5.5 preparation of trainees for exams / criteria / cast for exams.

5.6 review

5.7 final questions / answers

5.8 completion of the fifth day of the training program.

Note: the day lasts from 09:00 till 18:30 and includes **four (4) 120min sessions of training** (total 8 hours) and **three (3) 30min breaks** in between the sessions to prevent 'Zoom-fatigue'.

Exams

6.1 Written exam on the theory of mediation (multiple choice questions with a 75% minimum success rate - duration: **3 hours**)

6.2 Oral exam: recorded sessions of role-play (duration: 90 minutes for each group of 3 people – total duration: **4.5 hours**)

6.3 Self-assessment: The trainees fill out a self-assessment report on their performance at the oral exam, immediately after the completion of the oral exam (duration: **30 minutes**)

Note: the day lasts from 09:00 till 18:00 and includes **8 hours of exams** and two breaks of 30 minutes each.

Evaluation

- After the completion of the above-stage, independent evaluators examine the written and oral work of the candidates as mediators and decide on their success or failure. Results are announced within 15 days.

- In case of failure at the oral exam, the candidate is given the opportunity to submit a written complaint (within 30 days from the announcement of the results) or claim a re-examination on a different case-scenario (free of charges).

Exams Evaluation criteria:

1. Creating constructive interpersonal relations

1.1 The Mediator should create an environment which favors the mediation process.

1.2 The Mediator should create an environment of constructive communication and interaction with the parties.

2. Handling the whole mediation process

2.1 The Mediator should create and maintain a safe and effective structure throughout the mediation process.

2.2 The Mediator should be effective - sufficient to manage the different phases of mediation, as well as the process as a whole.

3. The content

3.1 The Mediator should help the parties find applicable solutions.

3.2 The Mediator should promote progress through active participation and dynamic interaction with the parties and the content of mediation.

4. Self-assessment

The Mediator should be aware of his/her potential strengths and weaknesses and be able to learn from them and improve them.

Note 1: the exams will include nine (9) case-scenarios, based primarily on the Greek court reality while integrating cross-border differences. Cases will involve various areas of dispute (familial, shopping, banking, lease differences, labor, medical, inheritance, private, international)

Note 2: The role of lawyer in mediation will be included in most case-simulations, since it is mandatory according to the Greek law.

Note 3: Extra aids and tools will be provided via PowerPoint lectures, interactive exercises and demonstrations by the trainers.