



MEDIATION CERTIFICATE PROGRAM – 80 hours of interest-based Mediation Training. 60 hours in class either online or face-to-face, and 20 hours of assignments, study and role play preparation. This total includes 14 hours of Interest-based Negotiation Training, a Mediation Evaluation day (7 hours) plus 5 hours of Intercultural Communication training, and a 3-hour workshop on Addressing Power and Understanding Trauma Informed Practice.

OBJECTIVES:

Our objective is that by the end of the Mediation Training you will:

- Gain a shared definition of conflict, disputes and contracts.
- Understand the difference between Positional Bargaining and Principled (interest-based/understanding-based) Negotiation.
- Gain competence in the use of an Interest-based Mediation Model.
- Know your role and responsibilities as a Mediator, including ethics, codes of conduct, and the role of lawyers and other representatives in the room.
- Have access to document templates useful to Mediators.
- Be able to prepare yourself and the parties for mediation.
- Be able to convert complaints into negotiable agenda items.
- Practise key communication skills to be effective during mediation.
- Become familiar with techniques for dealing with conflict during a mediation.
- Gain an understanding of how to manage the emotional climate in a mediation.
- Gain an understanding of the influence of culture, power and trauma on mediation.

DESIGN:

The training has been designed using a wholistic design method to meet various learning styles of participants. This means there will be solo work, work in pairs, in small group and in large group. There will be research, evaluation, analysis, discussions, role playing, and application of learning to life. The training is experiential which means that much of the learning is done in observed role play scenarios and observed skill practise sessions. 100% participation is expected in class and in the completion of homework assignments.

You can expect that the following breakdown in hours will be spent on various components of the course:

3 hours reviewing negotiation model as well as the other process that fall under the ADR umbrella.

7 hours on Conflict and Mediation Theory; in knowledge sharing, and on instruction, Mediation Presence, Role and Responsibilities

24 hours in Pre-mediation and Mediation Role plays

14 hours in communication and emotional management skills

11 hours of training in the influence of culture, power and trauma

7 hours in evaluation role plays

14 hours in Negotiation Training



HYBRID COURSE OUTLINE for MEDIATION 1.1 – FOUNDATIONS – SUMMER 2020

SESSION – REASONS/ GOALS	ACTIVITIES	ESTIMATED TIME
	WEEK 1 – June 22 – 27, 2020 Time Estimate 5 – 6 HOURS (4 in class, 1 - 2 on own) You have completed some of this already.	
PRE-COURSE	MEDIATION 1.1	
<ul style="list-style-type: none"> • Prepare your brain. Spark those memories from previous courses. • Confirm that your expectations of the training are covered in the Course Syllabus • Become clear on our expectations of Learners • Know what we will expect should classes move to Face-to-Face for any sessions • Be Prepared • Start building your Learning Community 	<ul style="list-style-type: none"> • Review material from the courses you used as pre-requisites. • Review Course Syllabus • Review Participant Guidelines. • Review Social Distancing class Assessment and Consent Form. • Confirm that you have received all course material, organize your workspace, block off the necessary time to attend the course sessions and complete work that is assigned between sessions. • Use the Personal Introduction Forum to Introduce Yourself to your Learning Mates. • Review pages 5 – 8 and complete the exercises to the best of your ability prior to class. We will be quickly going over those pages in class so you can ask questions, contribute to the discussion and correct your work during the Zoom Session. • Reflect and Share – keep a weekly journal while courses are in session. Reflect on what you are learning, retaining, and still have questions about. How is the learning impacting you and how you view conflict situations/people in conflict/you in conflict? Email to me weekly on Sundays or by July 5th for the first two weeks, and then each Sunday in July. If you feel you need a template, let me know. • I will create a discussion group/forum for each of you to post your ah! Ha! moments and questions on. If it gets well utilized, then I'll keep it going in each course. I am thinking of ways for you to connect more informally with each other; share experiences of apply the learning, or challenges your facing, or what your favorite pet name is. Whatever you might learn about someone during breaks in live classrooms – you can discuss on the forum. 	<p>Pre-course 30 minutes</p> <p>Intros. 10 Minutes</p> <p>Pages 5 – 8 20 Minutes</p> <p>Total 1 hour</p>
ZOOM SESSION 1	MEDIATION 1.1 – MEDIATION FOUNDATIONS Wed. June 24 – 5:30pm – 7:30/8:00pm	
<ul style="list-style-type: none"> • Build your learning community 	<ul style="list-style-type: none"> • Welcome and Introductions • View a Negotiation 	Welcome 5:30 – 6:00



<ul style="list-style-type: none"> • Understand Mediation from the perspective of the parties • Become clear on the difference between negotiation and mediation <p>MODULE 1</p> <ul style="list-style-type: none"> • Know the difference between conflicts, disputes, and contracts so you can explain them to the parties. 	<ul style="list-style-type: none"> • Do a comparative analysis between the situation as a Negotiation and how it would change with the presence of a Mediator. • Review Abbreviated Mediation Checklist <p>MODULE 1</p> <ul style="list-style-type: none"> • Complete exercise on the definition of “conflict” and “dispute” • Define what a contract is and when it exists. • Explain how knowing the difference could influence the process you would choose. • Complete an exercise on selecting the appropriate process for the situation – Online Asynchronous – between sessions. 	<p>Negotiation 6:00 - 7:00 with a break</p> <p>Module 1 20 minutes</p> <p>Total 2 hours plus wrap up</p>
<p>BETWEEN SESSIONS 1 & 2</p>	<p>MEDIATION 1.1 – MEDIATION FOUNDATIONS</p>	
<ul style="list-style-type: none"> • Begin to appreciate the Neuroscience behind ADR • grasp the importance of Mediator Presence 	<ul style="list-style-type: none"> • Read the article “The Neurophysiology of ADR and Process Design: A New Approach to Conflict Prevention and Resolution? – Asynchronous please complete before mid-July. We will visit it in Zoom Session 2. • View Video “Mediation and Mindfully getting in the Middle” 13:34 • Access ADRIC Code of Conduct and Ethics for Mediators – Ethics available on page 11 (can do it after the next session if you are too busy this week) Optional • If interested access ADRIC information about National Designations 	<p>Article highlights 15 minutes</p> <p>Video 15 minutes</p> <p>Finding Code of Conduct & Ethics Review 10 minutes</p> <p>Total 30 minutes with optional 10 minutes</p>
<p>ZOOM SESSION 2</p>	<p>MEDIATION 1.1 – MEDIATION FOUNDATIONS – Friday June 26 5:30 – 7:30</p>	
<p>MODULE 2</p> <ul style="list-style-type: none"> • Fully understand Mediator Presence • Appreciate the qualities of a Mediator 	<ul style="list-style-type: none"> • Mediator Qualities • Neurophysiological Perspective on Mediator Role • Review a Mediators Responsibility to their clients • Explore what a Mediator needs to be able to do • Explore what a Mediator needs to know • Discover the basic components of dialogue 	<p>Module 2 20 minutes</p> <p>Ethics 20 minutes</p> <p>Mediation Model</p>



<ul style="list-style-type: none"> • Know a Mediators responsibilities to clients, and the societies they are members of. <p>MODULE 3</p> <ul style="list-style-type: none"> • Become familiar with the Interest-Based Mediation Model • Appreciate the value of conducting an intake interview to assess the conflict and determine the appropriate ADR Process. 	<ul style="list-style-type: none"> • Understand a Mediators responsibility to the Societies in which they belong. Guest Speaker, Sara Alstrom, Chair of the Ethics Committee for ADRIIC will speak about Mediators Code of Conduct and Ethics. 20 Minutes <p>MODULE 3</p> <ul style="list-style-type: none"> • Review the Interest-based Mediation Model used in this training. • Learn how to conduct an intake interview • Watch a video on conducting the intake interviews for the Negotiation you were introduced to in Module 1. • Role play conducting intake interviews 	<p>20 minutes Intake lecture and video 20 minutes Intake interview Roleplays 40 minutes Total 2 hours plus</p>
	<p>WEEK 2 – June 28 – July 4, 2020 – 8 hours (6 in class – 1 evening plus 1 Saturday 9 - 4)</p>	
<p>BETWEEN SESSIONS 2 & 3</p>	<p>MEDIATION 1.1 – MEDIATION FOUNDATIONS</p>	
<p>Become familiar with what Mediations can look like.</p>	<ul style="list-style-type: none"> • Choose a roleplay for your first practice of intake interviews, pre-mediation and each stage of the model. • Review pages 18 – 25 Pre-mediation plus pre-med template • Review pages 27 to 33. • <i>*Ethical Challenges – Asynchronous exercise to be completed by mid-July. (15 – 20 minutes)</i> • <i>*Exercise – reflect on and write about the natural characteristics in your personality/presence, that will serve you well in the role of mediator? (15 – 20 minutes)</i> <p><i>*if you are overwhelmed this week you can complete these exercises and send them to me by July 12th.</i></p>	<p>Choose a Roleplay 10 minutes Pre-Med 20 minutes Review of Model 30 minutes Total 1 hour</p>
<p>ZOOM SESSION 3</p>	<p>MEDIATION 1.1 – MEDIATION FOUNDATIONS - Monday June 29 5:30 – 7:30</p>	
<p>MODULE 3</p> <ul style="list-style-type: none"> • Become familiar with the Interest-Based Mediation Model <p>MODULE 4</p> <ul style="list-style-type: none"> • Learn how to conduct Pre-Mediation 	<ul style="list-style-type: none"> • Learn how to conduct a Pre-mediation • Receive a Pre-Mediation Template • Review a sample Agreement to Mediate • Practice Pre-Mediation with one party in class/the second party between sessions. • MODULE 5 – Explore all four Stages (if there is time) 	<p>Pre-Med 1.5 hours Explore Stages 30 minutes Total 2 hrs.</p>



BETWEEN SESSION 3 & 4	MEDIATION 1.1 – MEDIATION FOUNDATIONS	
Prepare for conducting Pre-mediation Interviews.	<ul style="list-style-type: none"> • Prepare Pre-Mediation Questions for the second party to your mediation. • Review each stage of the model in preparation for mediation Role Plays. • Micro-communication skills review – online links will be made available for those who did not complete their communication skills training recently. We will be reviewing and practicing these during the July evening sessions. 	Prep. ?'s 20 min. Conduct Prep & write about it. 40 minutes Total 1 hour
FACE-TO-FACE SESSION 4	FRIDAY EVENING, July 3 evening 5:30 – 8:00/July 4 morning 9:00 – 1:00	
MODULE 5, 8 & 9 Become more familiar with the stages and practice them.	<ul style="list-style-type: none"> • Review Stage 1 & 2 • Roleplay practice Stage 1 • Roleplay practise Stage 2 • Review Stage 3 • Return to Roleplays to step into Stage 3 	4 hours
	WEEK 3 – 1.5 HOURS	
ZOOM SESSION 5	WEDNESDAY, JULY 8 EVENING 5:30 – 7:00PM	
MODULE 7 • Listening & Questioning for Interests	• Instruction and Practice	2 hours
	WEEK 4 – 1.5 HOURS	
ZOOM SESSION 6	WEDNESDAY, JULY 15 EVENING 5:30PM – 7:00PM	
• Reframing	Instruction and Practice	2 hours
	WEEK 5 – 1.5 HOURS	
ZOOM SESSION 7	SATURDAY, JULY 25 9:00AM – 1:00PM	
	<ul style="list-style-type: none"> • Review Stages 3 & 4 • Role Play Practice in the Model 	4 hours
BETWEEN COURSES		
BETWEEN COURSES OR WHENEVER YOU'D LIKE TO FIT IT IN.	<ul style="list-style-type: none"> • Find online videos of mediations – select one – write a short description and what you liked about what the mediator did, and what confused you about what they did. Asynchronous – anytime 	View videos & summarize 2 hours TOTAL 2 hours



MEDIATION 1.2		CHALLENGES IN MEDIATION
ZOOM SESSION 1		MEDIATION 1.2 CHALLENGES
MODULE 6 <ul style="list-style-type: none"> Review of the Anger Arousal Cycle Test your comfort level with anger in Mediation Practice shifting clients from Judgement and Blame to curiosity 	<ul style="list-style-type: none"> Review of the Anger Arousal Cycle Review Self-talk formula Review Empowerment Model Learn about shifting from Blame and Judgement to Curiosity 	
BETWEEN SESSIONS		MEDIATION 1.2 - CHALLENGES
FACE-FACE SESSION 2		IF POSSIBLE, OTHERWISE IT WILL BE ON ZOOM 5:30 – 8:30
MODULE 7 This is a reminder of the skills you need to mediate successfully.	<ul style="list-style-type: none"> UNDERSTANDING POWER AND ITS IMPACT ON MEDIATIONS Paraphrasing Practice Questioning Exercise Questioning for Interests Identifying and clarifying assumptions The Art of Reframing with practice exercises 	1.5 HOURS 1.5 HOURS FOR SKILLS
BETWEEN SESSIONS		MEDIATION 1.2 - CHALLENGES
ZOOM/FACE-FACE SESSION 3		MEDIATION 1.2 – CHALLENGES 9:00am – 1:00pm no lunch break.
MODULE 6 & 10 Building your confidence in dealing with angry responses from clients in mediation	Role plays in Phase 3 of the model, focusing on managing the emotional Climate and probing for interests. It is also expected that you will create a goal statement. <ul style="list-style-type: none"> Shifting clients from an angry response to a curious mindset Practice defusing yourself Practice defusing a client. Setting Limits and Disengaging 	4 hours
BETWEEN SESSION		MEDIATION 1.2 - CHALLENGES
FACE-FACE		MEDIATION 1.2 – CHALLENGES 5:30 – 8:00pm
MODULE 7 & 8 Getting more comfortable mediating in the Model	<ul style="list-style-type: none"> Focusing on the transition between Phase 3 and 4 with focused work in Phase 4. 	2.5 hours



ZOOM SESSION	MEDIATION 1.2 – CHALLENGES 2:00PM – 5:00PM	
Goal is to gain an awareness of the impact of culture in Mediation	<ul style="list-style-type: none"> • Guest Lecturer on Intercultural Communication and Cross-Cultural Mediation with Niki Kux-Kardos. 5 hours for Intercultural Communication plus a one-hour Webinar from SEITAR EUROPA on Cross-Cultural Mediation 	6 hours
ZOOM SESSION	MEDIATION 1.2 – CHALLENGES 5:00pm – 7:00pm	
Learn about various forms of power in Mediation and how to balance it.	<ul style="list-style-type: none"> • Working with clients who have been traumatized. What are the signs to watch for and how to care for them in mediation. Explore the guidelines for creating a Trauma Informed Practise. 	2 hours
MEDIATION 1.3	BEING A MEDIATOR	
PRE-COURSE		
The more you practice the more comfortable in the model you will become.	<ul style="list-style-type: none"> • Role play practice to get more comfortable in the Model • Apply to real life situations • Review the material in your manual, set up practice with fellow learners. 	
FACE TO FACE (IF POSSIBLE)		
Gain more comfort role-playing as a mediator.	<ul style="list-style-type: none"> • Role playing with coaching 	11 hours
Evaluation Role Plays	<ul style="list-style-type: none"> • Course Evaluation Role Plays & Feedback 	
	Graduation get together and Mediation Training Wrap-up	7 hours
ONLINE/FACE-TO-FACE	NEGOTIATION FOR MEDIATORS 14 hours	
ZOOM SESSION 1	5:30pm – 8:00pm	
Gain a deep understanding of Negotiation to increase your awareness of the needs of your parties in Mediation.	<ul style="list-style-type: none"> • Become familiar with the IBN Model and complete preparation work for a Negotiation • Instruction, discussion and introduction to preparation template 	3 hours
ZOOM SESSION 2	5:30pm – 8:00pm	
	<ul style="list-style-type: none"> • Review of, and teachings related to your preparation work • Become aware of Dirty Tricks and how to counter-act them in mediation. • Receive roleplay information - homework to complete preparation work. 	
FACE TO FACE	9:00AM – 1:00PM No lunch break	
	Observed/coached Negotiation roleplays	4 hours