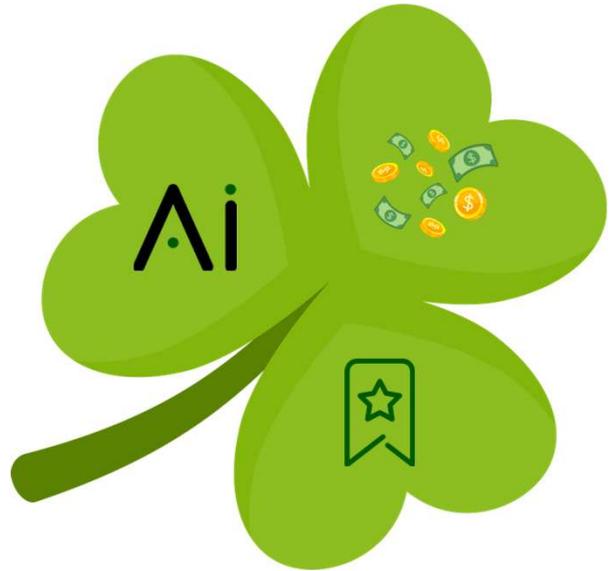


FUTURE READY DISPUTE RESOLUTION

THE THREE TRENDS EVERY
MEDIATOR NEEDS TO KNOW

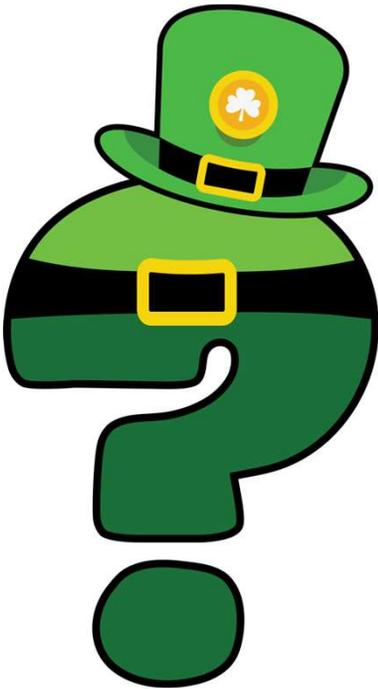


Susan Guthrie
VMN WEBINAR SERIES
March 17, 2026

Get the Materials

<https://susaneguthrie.com/VMN>





Three Questions to Start Our Conversation

How many of you feel technology and other factors are changing dispute resolution **faster than most practitioners are adapting?**

How many of you are **intentionally changing how you work** because of those shifts, rather than simply reacting to them?

How many of you have a **clear strategy for adapting your practice** as the environment evolves over the next few years?

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Why This Conversation Matters

Dispute Resolution Is Evolving

Technology

Practice
Sustainability

Client
Expectations

Emerging
Practice
Areas

4



A Practice Is Not Static

Successful mediators:

- Observe changes in the field
- Assess emerging trends
- Adapt their practices intentionally

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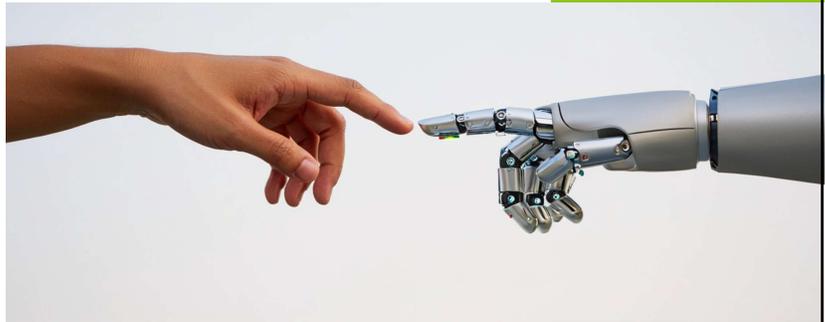
THE THREE TRENDS

**1****AI as Professional Infrastructure****2****Moving Beyond Hourly Billing****3****Specialization and Emerging Practice Areas**

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Trend 1

AI as Infrastructure



Most mediators think about AI in the mediation room

But its most powerful use may be **outside** the room for **practice development**:

- Research
- Preparation
- Practice Strategy
- Professional Learning



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The biggest impact of AI on mediation may not be in the mediation room.

It may be in how mediators build and evolve their practices.

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Where AI Can Support Mediators Today?

- Research emerging dispute areas
- Understand unfamiliar industries
- Analyze dispute trends
- Explore pricing models
- Identify training needs
- Summarize regulations affecting disputes



Your AI Support System

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Sample Prompts Mediators Can Use

Use AI to
Explore Your
Practice
Strategically



Emerging Disputes

"Analyze trends in disputes related to [practice area] in [location or jurisdiction]. What types of conflicts are increasing and what industries are generating them?"

Service Structure and Pricing

"How are professionals in [mediation / DR / legal services] structuring their services beyond hourly billing? What models could apply to a [type of mediation] practice?"

Professional Development

"What knowledge, terminology, or training would help a mediator become credible in [emerging dispute area or industry]?"

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AI Features That Support Strategic Practice Planning



Capabilities to Look For in AI Tools:

Deep Research Mode

- Analyze trends across industries, disputes, and regulations.

Guided Learning Mode

- Explain unfamiliar topics step-by-step.

Comparative Analysis

- Compare pricing models, service structures, or practice approaches.

Document Summarization

- Quickly review reports, regulations, or industry materials.

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TREND 2

The Shift Toward Alternative Fee Models

The traditional hourly model is being challenged.

Professionals across industries are rethinking how services are priced.

Clients increasingly expect:

- Predictable costs
- Clear scope of services
- Defined outcomes

In response, many mediators are experimenting with:

- Flat fees
- Tiered service packages
- Project-based pricing



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The billable hour measures **time**.

Clients care about **outcomes**.

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Rethinking How Mediation Services Are Priced

Many mediators are beginning to experiment with pricing models such as:

- Flat fees for a full mediation process
- Half-day or full-day mediation rates
- Tiered service packages
- Defined-scope mediation services
- Subscription services

The goal is not to eliminate hourly billing, but to create **greater clarity and alignment for clients**.



Client Experience and Trust

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Using AI to Explore New Pricing Models

AI can help mediators evaluate and design pricing approaches.



“What pricing models are commonly used by mediators in [practice area] in [location]?”

“Compare the pros and cons of hourly billing versus flat fee mediation services.”

“Help me design three pricing structures for a mediation practice focused on [type of disputes].”

“What factors should be considered when setting a flat fee for mediation in [practice area]?”

“Help me draft a clear scope of services for a mediation engagement in practiceareapractice areapracticearea, including how to handle common scope creep issues such as document drafting, follow-up calls, and additional sessions.”

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TREND 3

Emerging Practice Areas and Niches



- As industries, businesses, and society evolve, new types of disputes emerge.
- AI, technology, societal issues, and generational change are rapidly reshaping how organizations operate, creating new categories of conflict.
- Mediators who recognize these shifts early can position themselves ahead of the market.

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Developing expertise in emerging areas allows mediators to become early referral resources, build credibility with attorneys and institutions, and establish thought leadership where there is often less competition and greater visibility.

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Examples of Emerging Mediation Opportunities

AI and technology are generating new dispute areas such as:

- Workplace disputes involving AI tools and automation
- Intellectual property conflicts involving AI-generated content
- Data use and privacy conflicts
- Professional responsibility and technology use disputes
- Business partner disputes related to technology adoption



Rock 'em Sock 'em Robots

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Using AI to Identify New Practice Opportunities

AI can help mediators explore emerging dispute areas.



“What emerging types of disputes are increasing in [industry or sector]?”

“What kinds of conflicts related to AI and technology adoption may require mediation?”

“What emerging types of disputes are developing in [industry or sector] in [location], and where might mediation be an effective method of resolution?”

“What disputes related to AI tools, automation, or data use are increasing in [industry], and where might mediators provide early intervention or resolution?”

“What training or expertise would help a mediator work in technology-related disputes?”

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Example of an Emerging Mediation Opportunity

AI-Assisted Financial Analysis in Divorce

- AI tools are beginning to analyze financial records, spending patterns, and business income in divorce cases.
- These tools can review thousands of transactions and identify patterns that may suggest hidden income or unusual financial activity.
- As these tools become more common, disputes may arise about how the analysis should be interpreted or relied upon.
- Mediators who understand how these tools work can help parties focus on the meaning of the information rather than arguing about the technology.



Be the AI Go To Mediator

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What do you do now?



You can use an AI tool to help you translate these trends into next steps for your own practice.

Sample Prompt:

"I attended a practice building program with Susan Guthrie about the top three trends shaping mediation practices: AI tools, evolving pricing models, and emerging dispute areas.

I have uploaded the slide deck from the program.

My mediation practice focuses on [practice area] in [location].

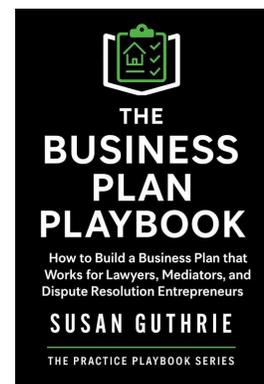
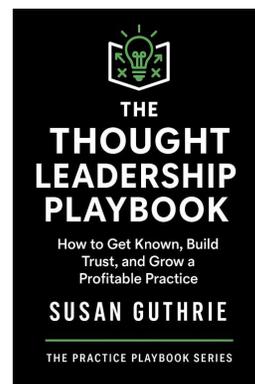
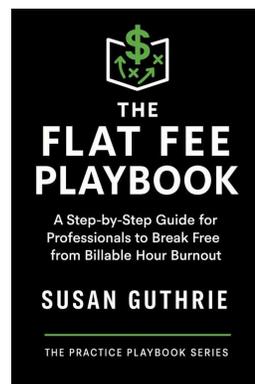
Help me identify the most relevant opportunities for my practice based on these trends and suggest three practical steps I could take in the next 90 days to begin adapting my practice.

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More Resources:

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Helping Mediators, Lawyers & Entrepreneurs Build Profitable Pr...

Thank You

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