IN THE ROOM EXERCISES

Print this out or have available onscreen

Unified Statement of Neutral Case Facts

For All Exercises in the Workshop

Parties:

- Party A – A vendor providing ongoing contracted services.
- Party B – A business client that engaged Party A under a written services agreement.

Contract:

- One-year services contract valued at $500,000 annually.
- Six months remained on the contract at the time of termination.
- Remaining contract value: $250,000.

Party A's Position:

Party A asserts that Party B terminated the contract without proper justification.
Party A maintains that it was performing its obligations and had addressed any concerns that were raised.

Party B's Position:

Party B claims it terminated the agreement due to repeated performance problems, including delayed deliverables and inconsistent service quality.
Party B asserts that the termination was permitted under the contract.

Shared Context:

Regardless of fault, both parties:

- have ongoing business operations that depend on stable service delivery
- face potential financial exposure
- have reputational considerations
- rely on documentation and staff recollection to support their claims
- want to avoid extended litigation costs and delay if possible
- may maintain other business interactions outside of this dispute

Scope for This Workshop:

All exercises will use only the facts above.
Participants should not add new facts or pursue fault-finding.

The goal is to practice option generation, risk analysis, and reality-testing using these neutral, finite facts.

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1. Option Generation Participant Exercise

Instructions for Participants (Using the Unified Fact Pattern)

Purpose:

This exercise demonstrates how AI can support mediators in generating neutral, interest-based settlement options using a consistent set of case facts.

Instructions for Participants

Step 1: Review the Unified Case Facts

We will use the same neutral fact pattern for all exercises in this workshop.

Read through the Statement of Facts provided. Do not add new information or make assumptions. Your goal is to work within the defined boundaries exactly as you would in a structured mediation intake.

Step 2: Copy the Prompt Framework Below

You will paste this directly into your AI tool (ChatGPT, Gemini, Claude, etc.)

This prompt instructs the model to act as a neutral mediator and generate three interest-based settlement options grounded solely in the provided facts.

Option Generation Prompt (Using Unified Case Facts) ***(prompt in italics)***

"Act as a neutral civil mediator. Based solely on the unified case facts provided below, generate three interest-based settlement options that address:

• *the core areas of disagreement*

• *potential financial adjustments*

• *operational or practical considerations*

• *and opportunities to preserve or improve the parties' working relationship.*

Case Information :*Party A is a vendor providing contracted services to Party B under a one-year agreement valued at $500,000 annually. Party B terminated the contract with six months remaining (approximately $250,000 in remaining value). Party A asserts that it was performing adequately and that the termination was unjustified. Party B asserts that it terminated due to repeated delays and inconsistent performance. Both parties face financial exposure, operational disruption, reputational concerns, and would prefer to avoid prolonged litigation if possible.*

Present all options in clear, neutral language without assuming fault or predicting outcomes."

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2. Risk Analysis Participant Exercise

Exercise: Party B and Mediator

Instructions for Participants

You will work in pairs:
• One acts as Mediator
• One acts as Counsel for Party B (or Party B directly, if preferred)

You will use the same neutral case facts provided earlier.

The mediator will guide the conversation using the prompt starter below.

Prompt Starter

Prompt for Breakout Rooms:
"Act as a neutral civil mediator. Using only the neutral case facts provided, help us conduct a structured risk analysis for Party B. Ask one question at a time. After each response, summarize it neutrally and identify the category of risk (financial, operational, procedural, evidentiary, or relationship). Do not assign fault or predict outcomes. Continue until all major categories of risk have been explored."

Participants then take turns:
• Mediator reads ChatGPT's question
• "Party B" answers
• Mediator pastes the answer back into the model
• ChatGPT summarizes and continues

Optional Follow-Up Prompt

"Please consolidate everything we just explored into a single, neutral BATNA/WATNA-style risk summary for Party B."

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3. Visual Aids + Reality-Testing Tools

Purpose:
Use AI to turn the risk information you generated in Step 2 into a simple visual that helps a mediator reality-test with a party.

1. Generate a Visual Aid

Paste this prompt into your AI tool:
"Using only the risk analysis we just completed, create a simple visual (text bar chart, table, or heat map) showing the relative level of financial, operational, procedural, evidentiary, and relationship risks for this party. Do not add new facts or predict outcomes."

(**Note:** If you open a new chat or use a different tool for this exercise, you will need to cut and paste or upload the summary for Party B from your Risk Analysis exercise.)

2. Look at the Visual

Take 10–15 seconds to notice:
• Which risks show up as highest?
• Which are lowest?
• What stands out?

3. Use the Visual to Reality-Test

Paste one of these prompts to see how AI can help you ask neutral, mediator-style questions:

Option A:
"Give me three neutral questions a mediator could ask to help the party reflect on the risks shown in the visual."

Option B:
"Identify two risks from the visual that a mediator might explore further, and explain why—using neutral language only."

4: Refined Option Generation

1. Paste This Refined Option Prompt Into Your AI Tool

START PROMPT
“Using the risk analysis and the visual risk summary we just completed, generate three refined settlement options that directly address the party’s most significant risks. Keep all language neutral and stay within the unified case facts. Do not add new information or predict outcomes.”
END PROMPT

2. Take 20–30 Seconds to Observe the Differences

Tell participants to look for:
- How the *risk-informed* options differ from the original ones
- Whether the options are now more practical or realistic
- Which risks each option seems designed to reduce
- Any shifts in tone or structure that mirror mediator best practices

No note-taking needed — this is about recognition.

3. Optional “Quick Enhancement”

Participants may run ONE follow-up prompt:

Option A:
“Make each option more balanced and more acceptable to both sides.”

Option B:
“Condense each option into short versions I could easily present in caucus.”

Option C:
“Add one sentence under each option describing which risk(s) it reduces.”