



## STAGES OF MEDIATION

In order to provide some level of organization to a mediation session there are eight steps that a mediator may follow which are meant to lead the participants through the procedure and facilitate discussion.

### 1. Open

The mediator welcomes the parties and reviews the mediation process and ground rules. The mediator should check whether the participants have any questions or concerns, then ask if they are willing to proceed with the session. At this stage the *Agreement to Mediate* may be signed.

### 2. Listen to each participant to understand the issues

The mediator listens to the parties (who each take turns) explain their perspectives on the situation. The mediator might reframe statements for clarity and de-escalation. At the end of each person's turn the mediator may inquire whether the speaker has anything else to add.

### 3. Summarize the issues

The mediator assists the parties in summarizing their issues and concerns and gathers only the information needed to understand the situation.

### 4. Identify the goals, interests, and needs

The mediator assists the parties in exploring the goals, interests, and needs that are underneath their initial positions and demands. He/she should listen carefully for people's interests – what really matters to them – and help them get a clearer picture of the other party's interests and needs by reframing and clarifying.

### 5. Generate options

By encouraging the parties to brainstorm multiple options, the mediator assists the parties in widening the scope of possibilities for meeting their goals, interests, and needs. He/she should summarize accomplishments for common ground and list the items identified for negotiation followed by brainstorming for possible solutions. The parties should be reminded that brainstorming means generating all possible options without judgment and they will be evaluating the options after all possibilities are explored.

### 6. Evaluate options

The mediator assists the parties to evaluate and prioritize the options they have generated. Solutions that seem unworkable should be weeded out. The advantages, disadvantages, and consequences of each option should be explored. Reality testing should also be done in order to check if proposed solutions are practical and workable.

### 7. Fine-tune the options

The mediator assists the parties in fine-tuning the selected options to satisfy the interests of both parties. He/she should check that each person agrees to the proposed solution. The mediator should record and summarize the tentative agreement noting any areas of disagreement. He/she should continue to help the parties with their problem-solving and refining processes.

### 8. Write the agreement

The mediator assists the parties in writing a practical and specific agreement. He/she should write down all points of agreement, read it aloud, and allow the parties to modify if necessary.