



# Mediation Monitor

Issue 19

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Archived newsletter issues can be found at [www.mediatenmc.org](http://www.mediatenmc.org)

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## *The Many Applications of Mediation*

*Alternative dispute resolution processes, of which mediation is one form, are often associated with ongoing court cases of one kind or another, i.e., small claims, divorce, custody, civil litigation, appeals, guardianship, estate disputes, etc. Few people seem to realize that mediation can be used for many more purposes.*

*Mediation can be an effective intervention that may actually help to avoid court proceedings which are often lengthy and expensive. Increasingly, mediation is used constructively to address issues involving elders, special education, business, employment, student peers, HOAs, family business, estate planning, non-profit boards, general community mediation and others. Some of these issues may involve conflict but mediation can be especially effective before a situation develops into the conflict stage.*

*For instance, when families engage in mediation to discuss the needs of an aging parent, respectful communication that allows all concerned to be heard can lead to mutual understanding while the focus remains on the elder. Similarly, when families work together in estate planning, the discussions that take place in mediation can help to prevent future misunderstandings that can tear families apart upon the death of a parent. Individuals planning to go into business together can use mediation to talk about their respective visions for a successful venture, structure responsibilities and discuss expectations of each other. Misunderstandings based in assumptions that partners may or may not share can create serious problems down the road. Often, employing a trained neutral to guide these many and varied discussions can be an invaluable investment in preserving future relationships.*

*While mediation is not a cure-all, studies show that even if no agreement is reached, those who have participated in the process report having a clearer picture of the situation, a deeper understanding of the perspectives of other stakeholders, the feeling that they've been heard, and more of an appreciation of their role in the conflict. Mediation is time well spent.*

### *Save the Date!*

Association for Conflict Resolution (ACR)  
2019 Annual Conference  
September 18-21  
The Westin La Paloma Resort & Spa  
Tucson, AZ

### *"Heal the Divide"*

*Peacemaking in a Divided Society*  
More information at [www.ACRnet.org](http://www.ACRnet.org)

## *March 2019 Beginning Mediation Training*



*In March, Monica Kales, NMC Executive Director, and Dawn Rafferty of Rafferty Consulting LLC, spent a week training 14 students in the Beginning Mediation and Conflict Resolution class presented in collaboration with UNR Extended Studies.*

*The class participants came from a rich mix of backgrounds including K-12 and higher education, sales, human resources, military, social work and business management. The diversity added greatly to the types of issues brought up during discussion. This was a special group of motivated and emotionally intelligent individuals. In many ways, the trainers and the trained learned from each other. Valuable sharing in class and collaborative work in role play augmented the learning opportunity and offered insights into the complex “dance” of the conflict resolution practitioner.*

### **2019 Training Evaluation Comments**

**“..vast amount of information presented in a way that was so engaging , fun and motivating ... environment encouraged collaboration, creativity and thoughtfulness”**

**“Really great class – best I have taken at Extended Studies”**

**“All around great experience ... learned so much about mediation, communication, conflict ,and about myself—Thank you!”**

*Class curriculum was primarily focused on teaching the process of mediation based in the Facilitative model. Attention was given to the various conflict and communication styles that are encountered in mediation and effective strategies to bridge the differences were provided. Discussion of neuroscience and culture and their myriad influences on conflict behavior was also included.*

*Thank you to the Class of 2019 and UNR Extended Studies!*

### ***Visiting Delegations***

*The mediation center enjoys a partnership with the Northern Nevada International Center in which it has the occasional opportunity to host various traveling delegations from other countries. When visiting the NMC, delegates are introduced to the process of dispute resolution the center utilizes and the NMC’s role in offering ADR in our community.*



*These visits are always interesting and enlightening. Many cultures have long-standing dispute resolution traditions and techniques. The chance to dialogue about the similarities and differences in cultural approaches is an enriching and broadening experience. No matter where we’re from, we all seem to be searching for ways to reduce conflict and increase peaceful co-existence.*

***“Patience is also a form of Action.”***

*Auguste Rodin*

## ***Importance of Introduction in Mediation***

**“It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief...”** – Charles Dickens, *A Tale of Two Cities*

The words written above encourage the reader to delve further in the novel. In mediation the introduction serves a similar purpose: helping the participants feel they want to continue with the mediation. No one is expecting mediators to use words as eloquent or memorable as those listed above, but impressions made in the first few minutes can increase the chances of the mediation continuing. Rapport between mediator/participants is important. The first words spoken by the mediator instill confidence that the mediator is non-biased and fair.

Introductions allow us to make that first impression; in social settings it allows people to find out who you are. Then they may form an opinion that they either want to know more about you or they may decline further contact. The introduction process in mediation is a little different. We are not looking to form friendships, but we want to have a positive impact on the participants – we want to help them feel comfortable and proceed with the process. We do not want the participants apprehensive or ambivalent; we want them to feel positive and that they are doing the right thing by mediating.

Additionally, introductions help parties decide if and how they want to proceed; it also allows mediators to explain the process. Since many parties are oftentimes unfamiliar with mediation, this explanation may help alleviate any fears associated with meeting a person with whom they are having a conflict. This is the time for the mediator to further demonstrate their neutrality and ability to lead the mediation process in a competent and non-biased manner. Finally, the introduction is the perfect time to explain that this is the participants' mediation – mediators do not make decisions or decide who is right or wrong, but clarify any issues and make sure there is no misunderstanding about any potential agreements.

***For, usually and fitly, the presence of an introduction is held to imply that there is something of consequence and importance to be introduced.— Arthur Machen***

### ***Improve your Conflict Handling Skills!***

#### **Unresolved conflict is expensive and disruptive**

**Unfortunately, we don't always learn how to deal with conflict effectively.**

**Conflict resolution and competent communication skills are valuable tools to have in all areas of life, work and play.**

**The Neighborhood Mediation Center offers fee based half-day or full-day conflict resolution trainings to businesses and organizations upon request.**

**Contact the NMC for more information regarding these services.**

**Email [mkales@mediatenmc.org](mailto:mkales@mediatenmc.org) Phone 775-788-2127**