

#	Stage	Deliverables	Examples	Pro Tips	Common Mistakes
1	Introduction & opening statements	±45-90 second introduction which sets the tone for the rest of the discussion & covers each of these: - Welcoming - Confidentiality - Neutrality - Voluntariness - Opening statements (no benefit to going first)	- "Thanks for attending today. " - "What we discuss in today's session is confidential. " - "My role is to help you explore solutions while remaining neutral , and we'll explore different options to arrive at a good settlement for both sides." - The process is voluntary : I won't force anybody to do anything and you're welcome to get a legal opinion before you sign any agreements." - Next, I want to ask each of you for brief opening statements . Let's start with [Party X]. [Party X] what are the key issues do we need to resolve today?"	- Practice on camera / in the mirror	- Not rehearsing the introduction / waffling - Carefully move from formal to informal between stage 1 and stage 3
2	Agenda setting	Record all agenda points Confirm all agenda points End with checking for missed points	- Need for <u>maintenance</u> - Need for a clear <u>contact schedule</u> - [Child A]'s performance at <u>school</u> - "To summarise , ..." (a) "Does this cover all of the agenda points?" (b) "Are there any points I'm missing on the agenda?"	- Write down 1 word per point - Neutralise - Summarise - Set, check, confirm	- Missing agenda points (look for implied meaning) - Introducing agenda points - Not confirming the agenda - Exploring before setting a clear agenda
3	Exploration	Find all relevant facts to understand the status quo , then explore during: (a) Side meetings (b) Joint sessions (moving from positions to interests)	- Side meetings : "Now that we have an agenda , let's flesh out the issues in side meetings." 1. [to both parties] "I'd like to chat with [Party X] first , then we catch up immediately afterwards [Party Y]." 2. [to Party X] "What we discuss in side meetings are confidential. " 3. [to Party X] "What's the one thing that matters the most to you?" 4. [to Party X] "To summarise , here's what we discussed: ... Is there any of this that I can/cannot take back into the joint session ?"	- Use agenda points to explore - Joint session: Start by establishing a baseline: understand the status quo between the parties at the moment - Side meetings: Ask questions to flesh out agenda points - Build rapport by engaging the parties in side meetings (this allows reality checking later). Ask about what happened, listen actively. - Ask open-ended questions - Normalise emotions, not conclusions	- Asking " How do you feel about ... " - Making statements instead of asking questions - Statements lack purpose - Questions lack direction
4	Option generation	Move from positions to interests , Generate options	- "What does a win look like in 10 years from now?" - "What could a workable way forward look like?" - "How does that fit into the big picture ?"	- Uncover interests - Let the parties vocalise options	- Getting stuck on positions - Making direct suggestions
5	Reality-testing & evaluation	Test & evaluate options for practical implementation	- "Talk me through this aspect: ..." - "How would [X] affect [Y]?" - "How practical is this in real life?" - "What complications could occur if ...?"	- Reality-test - BATNA/PATNA/WATNA - Create an environment where it's ok to be wrong	- Not challenging the parties' beliefs
6	Negotiation & consensus building	In a joint session : 6(a) Reach agreement on care, contact, maintenance, division of marital property 6(b) Reach an interim agreement if there is not enough time to address all key points	- "Would you consider apologising for ... ?" - "Which options allow us to create the best possible future ?" - "How would [X] affect [Y]?" - [when closing the session] "Let's confirm what we agreed today: ..."	- Side meetings: Put the parties in each other's shoes - Prompt apologies - Reframe - Mutualise with common interests - Thank the parties for concessions: "That's big of you, thank you." - Trade concessions	- Ignoring common interests - Not addressing risks

#	Metric	Deliverables	Pro Tips	Common Mistakes
7	Learning	Demonstrate self-reflection post-mediation	- Write down errors , then write down strategies & tactics for improvement	
8	Reflection			
9	Post-qualification readiness	Demonstrate capability	- Ideal mediator-talking-time = 5%-20%, keep the parties talking in a exploratory/constructive mode for the balance of session time - Move from power and rights to interests	- Wasting time with unnecessary statements - Approach your session as a structured discussion
10	Presentation	Present professionally	- Place both feet on the ground and lean back slightly	

Numbering explained:
Numerical sequences: 1, 2, 3, ...
Options: (a), (b), (c), ...
Other: -



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