



Ambassadors
of Reconciliation™

Mediator's Checklist

Greetings and Ground Rules

- Welcome and introductions
 - Commend and encourage the parties. Remind them whose they are (1 John 3:1). Assure them of God's promises (He will never leave nor forsake you; Jesus will be with you always; & Romans 8:1).
 - Have everyone introduce themselves
- Agree on schedule
- Describe mediation agenda ("GOSPEL")
 - Greeting and ground rules
 - Opening statements
 - Story telling
 - Problem identification and clarification
 - Explore solutions
 - Lead to agreement
- Explain the use of private meetings
- Clarify roles of mediators and advisors
- Explain ground rules:
 - Communicate respectfully (no name-calling)
 - Honesty: We will speak the truth in love
 - No interruptions (exception for reconcilers)
 - Private meetings: Focus on those in the meeting. Accusations against others will be shared w/ them.
 - No assuming motives
 - Anyone may request a break or a private meeting (but no disruptive departures)
 - Ask if parties would like to add any ground rules
- Ask for commitment to follow ground rules
- Commend parties on their second agreement (agreed to mediation and agreed to ground rules)
- Other comments:
 - Reconcilers are not acting as legal advisors (even if one or more is an attorney)
 - Parties should focus on their own responsibilities
 - Mediation is considered settlement negotiations and may not be used for discovery purposes
 - Confidentiality: We will not discuss this matter with outsiders unless they have a legitimate need to know (i.e., church leader, spouse, etc.)
 - Parties may not ask reconcilers to testify in any subsequent court hearing
 - Parties will make final decision
 - Parties will file legal documents
- Brief devotional (Scripture and prayer)

Opening statements

- "We would like each of you to make a brief opening statement. In two or three sentences, briefly describe your hopes & expectations for today. Remember that you will be able to go into more detail later."**
- Choose who begins. Plan to alternate who begins in each section, especially story telling.

Story telling

- "We are now moving into the story-telling phase. Our goal is to gather and clarify information so that everyone can better understand what has happened and what can be done to resolve this matter. We will begin with _____ [choose who begins]."**
- Remind parties of commitment to ground rules
- Alternate speakers (gives opportunity to be heard)
- Summarize, clarify, and take careful notes
- Ask parties to paraphrase what the other has said
- Ask parties to identify each other's possible interests
- "Open" questions at first; "closed" questions later
- Diffuse barbed comments
- Ask for specific examples when given generalities
- Use clarifying and reflecting (paraphrasing) questions
- Pay attention also to the person who is *not speaking*
- Watch your own body language
- Encourage and commend confession
- When confession occurs, pronounce God's forgiveness
- Take breaks when necessary

Use Private Meetings

- "We've been talking for quite a while. I'd like to take a few minutes to talk privately with each side."**
- Explain limits on confidentiality
- If possible, take party out of main meeting room
- Give an assignment to the other party
- Keep private meetings as short as possible
- Keep them balanced (talk to both sides)
- Focus the discussion on the party who is present
- Begin: "How do you think things are going so far?"**
- Draw attention to positive accomplishments
- Ask party to clarify issues, positions and interests
- Encourage needed confession
- Announce God's forgiveness using Scripture whenever one begins to show repentance
- Ask "what-if" and "if-then" questions
- Coach the party for the next step
- Close in prayer**

Problem Identification and Clarification

- "Now that we have heard both your stories, let's see if we can clarify what issues we need to resolve today."**
- Summarize confessions, forgiveness and concessions
- Ask each party to identify an issue that needs to be resolved (alternate between parties)
- Use flip chart to record a list of *issues*
 - Distinguish between material & personal issues
 - Note some issues are sub-issues of larger issues
 - Help the parties prioritize issues

Problem Identification and Clarification (cont.)

- Distinguish *issues, positions, and interests*
 - Issue: an identifiable and concrete question
 - Position: a desired outcome
 - Interest: what really motivates people
- Help parties identify interests on key issues

Exploring Solutions

- “Let’s review what we have done so far. You have shared your perspectives on the conflict, which has allowed us to clarify some misunderstandings and resolve a few personal matters. We then identified the key *issues* and your major *interests*. You have already started to develop ideas for meeting some of those interests [give examples]. Are you ready to begin working on a solution to this problem?”**
 - Focus first on personal issues and alternate with material issues as necessary for progress.
 - Deal with sin issues through gentle confrontation, repentance, confession, forgiveness, and restitution
 - Negotiate material issues
- Four rules of brainstorming
 - No judging
 - Strive for quantity, not quality
 - Be wild and creative
 - Hitch-hiking is encouraged
- Evaluate options objectively and reasonably
 - Use Scripture, facts, experts, or precedent
 - Separate discussion of material and personal issues
 - Encourage parties to be specific
 - Use clarifying questions
 - Make sure that all issues are all on the table
 - Look for admissions, hidden/conditional offers
 - Note small positive steps and agreements
- If you bog down on *substance*, negotiate on *process*

Leading to Agreement

- “We have discussed several options and have begun to identify your preferred solutions. Are you ready to move toward a final agreement?”**
- Summarize confessions and ask parties to forgive (use *Pronouncing God’s Forgiveness*).
- Look for any unresolved offenses
- Summarize any agreements made earlier and clarify any details needed
- Ask, “Why do you support this agreement?”
- Write out the agreement using “RESTORE.” The agreement should address issues and underlying causes, anticipate future events and problems, include a conciliation clause, be balanced and positive, and be signed by parties (but *not* mediators)

Closing

- Close on a positive and honest note
- Praise God for his work
- Commend parties for progress and agreements
- Gently admonish where further progress is needed
- Review what will happen next
- Prepare parties to explain results to others
- Invite parties to make brief closing statement
- Close with time of prayer

Pre-Mediation

- Pre-mediation coaching and prayer with parties
- Determine who will be involved (encourage church involvement)
- Parties complete pre-mediation homework
- Review *Guidelines for Christian Conciliation* and cover key *Rules*
- Have parties complete all required forms
- Review the Agenda and Ground Rules with each party
- Prepare personally – prayer, study and reflection

Mediation Tools

- Bible and Scripture reference guide
- Forgiven to Forgive* devotion booklet
- Coaching bookmarks
- Catechism and hymnal familiar to both parties
- Confession & Forgiveness* and/or *The Peacemaker*
- Pronouncing God’s Forgiveness* pamphlets
- Guidelines for Christian Conciliation*
- Signed agreements (copies for parties)
- Client Information forms (copy for each reconciler)
- All necessary forms (issue statement, approval of arbitration panel, memorandum of agreement, etc.)

Room Set-up

- General environment is private, clean, uncluttered
- Overall disability access
- Table (preferably round) and comfortable chairs (enough chairs for all people)
- Extra room for private meetings
- Coffee, water, mugs, glasses
- Snacks (fruit, rolls, cookies, mints)
- Flip chart and markers
- Prepare flip chart – Agenda & Ground Rules
- Tissues
- Notepads and pens for everyone
- Accessible restroom and telephone