

## MODEL MEDIATOR'S OPENING STATEMENT

Good afternoon, my name is \_\_\_\_\_ and I am serving as your mediator today. I am a [certified\*] mediator trained to assist in resolving disputes such as the one before us today. I am pleased to be here to assist you in working through your issues and believe you will find mediation to be a very helpful process. Thank you for committing to be here today.

If any of you have a special need during the session, please let me know now or at any time during this session. Also, please silence all electronic devices during this mediation.

How would each of you like to be addressed in our session today?

Do you have the authority to settle and sign an agreement if one is reached?

Let me begin by stating that I am not acquainted with the parties involved in this dispute.

Have any of you met me before this session?

Mediation is a voluntary process in which a neutral, impartial person assists parties who want to generate options for resolving their issues.

Are you all here voluntarily?

My role as the mediator is to facilitate the discussion and negotiation and help you capture any agreement into appropriate settlement terms. Your attendance at this mediation does not imply any admission of guilt or wrongdoing. If you would like to take a break, meet with me privately, or end the mediation, please let me know and we'll address those matters at that time.

My goal is to assist each of you in communicating clearly with one another and reaching a mutually acceptable settlement of this matter. I am not here to represent any particular side and will not provide advice or guidance. You are entitled to seek representation and subject matter experts that can be called to provide information, if necessary. I have no power to impose a decision on you or to decide how this matter should be settled. This is where mediation differs from other forms of dispute resolution. You are empowered with the ability to design your own solution that meets your needs and addresses your interests.

Did each of you receive a letter or in-brief outlining what you can expect in a mediation session and asking you to verify that you willingly accept the opportunity to participate?

Each of you signed agreements to participate in good faith. "Participating in good faith" means that you are entering with an open mind, that you will be respectful of the other person, and that you will listen to one another.

# Mediator Opening Statement Sample

**Council of Europe**



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The Mediator's Handbook John W. Cooley, 2006      **Mediation Theory and Practice** Suzanne McCorkle, Melanie J. Reese, 2018-03-23 Mediation Theory and Practice Third Edition introduces students to the process of mediation by using practical examples that show students how to better manage conflicts and resolve disputes Authors Suzanne McCorkle and Melanie J Reese help students to understand the research and theory that underlie mediation as well as provide students with the foundational skills a mediator must possess in any context including issue identification setting the agenda for negotiation problem solving settlement and closure New to the Third Edition Expanded content on the role of evaluative mediation reflects the latest changes to the alternative dispute resolution field helping students to distinguish between various approaches to mediation Additional discussions around careers in conflict management familiarize students with employment opportunities for mediators standards of professional conduct and professional mediator competencies New activities and case studies throughout each chapter assist students in developing their mediation competency      *Family Mediation in Europe* Council of Europe, 2000-01-01 The conference brought together over 350 people with a professional interest in family mediation The Council of Europe recommendation R 98 1 encourages member states to introduce promote and strengthen family mediation as an appropriate process for the resolution of family disputes particularly those involving children in marital separation and divorce The Conference proposed increasing promotion of mediation assistance for cross border mediation training and accreditation of family mediators assisting states to adopt family law practices that reduce family disputes      **The Mediator's Handbook** Ruth Charlton, Micheline Dewdney, 1995 Practical handbook which provides guidelines on how to develop and improve mediation skills for beginners and experienced mediators Techniques and skills outlined are applicable to all types of disputes including commercial family community environmental and workplace Discusses the most appropriate strategies to apply in particular contexts Includes index Ruth Charlton is a solicitor in private practice lawyer mediator and co editor of Australian Dispute Resolution Journal Micheline Dewdney is a solicitor of the Supreme Court of NSW lawyer mediator and co editor of Australian Dispute Resolution Journal      **An Asian Perspective on Mediation** Joel Lee, Hwee Hwee Teh, 2009 The prevailing mediation model and process is drawn primarily from the West For a long time there has been a call for conflict management approaches that are more appropriate for the Asian context This book answers the call by identifying cultural values and norms that affect how conflicts may be perceived through Asian lenses and how conflict management processes and practices should be structured      **Becoming a Mediator** Peter Lovenheim, 2002-03-07 Most mediators feel that helping people end conflicts is special work and they're sustained by rewards beyond money praise or fame But with no obvious career path and no prescribed courses to take or degrees to earn how does one become a mediator Whatever your background whether in law social work teaching psychology business homemaking or parenting you can become a mediator and find a satisfying career says Peter Lovenheim Becoming a

Mediator shows you how offering a practical nuts and bolts guide to breaking into the field and a no nonsense approach to the reality of current professional opportunities Drawing from the experiences of actual mediators as well as from his own many years of work as an attorney and mediator Lovenheim not only provides a vital resource but also conveys the sense of mission mediators feel for this emerging new profession

*When Push Comes to Shove* Karl A. Slaikeu,1996 In a world where disputes increasingly erupt into lawsuits or violence at home in the workplace in schools and between nations conflict resolution skills are critical to both trained mediators and other professionals *When Push Comes to Shove* offers a clear how to guide for lawyers managers human resource professionals clergy social workers and anyone who wants to learn how to resolve interpersonal and intergroup disputes in all areas of life

Conflict and Communication Fred E. Jandt,2016-03-22 *Conflict and Communication* introduces students to important theories key concepts and essential research in the study of conflict along with practical skills for managing conflict in their daily lives Author Fred E Jandt illustrates how effective communication can be used to manage conflict in relationships and within organizational and group contexts Along with foundational coverage of conflict styles mediation and negotiation skills the text also features new and emerging models of conflict management including chapters examining the challenges of conflict between cultures a chapter on family and organizations information on both face to face and online bullying a detailed step by step guide for mediation and more emphasis on online dispute resolution

**International Commercial Mediation** Cyril Chern,2020-11-25 *International Commercial Mediation* is a practical guidebook that explains how to handle and complete a mediation as well as how to personally market the skills developed as a mediator The book provides examples supplies forms and explains procedures of actual working mediations which can be used to adapt to individual needs It also deals with advanced practitioner issues and the emerging law on international mediation

**Mediation** Sam Leonard,1994 Discover the difference between conflict and dispute and learn hands on practical tips for applying mediation skills Offers an understanding of mediation as an alternative to litigation by the Executive Director of the Institute for Mediation Training

The Mediation Process Christopher W. Moore,1996-05-24 Throughout this period of dynamic growth the first edition of *The Mediation Process* originally published in 1986 has led the way as the best resource in the field for a generation of practitioners and trainers students in degree programs and professionals in corporate legal health care education and governmental arenas

Securities Arbitration Procedure Manual David E. Robbins,1995 This manual is acknowledged to be the essential reference in the field of securities arbitration It systematically describes the issues that arise in a dispute how to evaluate the merits of a case how to prepare present cases to arbitration panels anywhere in the country In the Third Edition David Robbins updates his work to reflect the important new issues governing discovery on the Internet NASD s new eligibility rule its rule on punitive damages

**Alternative Dispute Resolution in a Nutshell** Jacqueline M. Nolan-Haley,2001 The Second Edition of *Alternative Dispute Resolution in a Nutshell* brings readers recent information on developments in the field of ADR In recent years ADR

has undergone extraordinary growth with a significant increase in federal and state legislation court rules and professional and ethical standards The Second Edition informs readers of these developments provides an expanded bibliography at the end of each chapter and contains several new appendices including the Revised Uniform Arbitration Act The Conflict Resolution Training Program Prudence B. Kestner, Larry Ray, 2002 This training package presents proven interactive techniques and specific teaching tools for instituting systems of organizational conflict resolution The authors introduce a hands on method of learning and teaching organizational conflict resolution through the use of exercises quizzes surveys games role plays and other interactive techniques that can be used by anyone engaged in teaching or practicing conflict resolution All of these exercises have been developed and applied in the real world *Dispute Resolution Journal*, 2005

Mediation and Other Non-binding ADR Processes Alan Scott Rau, Edward F. Sherman, Scott R. Peppet, 2002 Law school casebook that provides detailed on mediation and other non building alternative dispute resolution processes The casebook provides the tools for fast easy on point study Part of the University Casebook Series it includes selected cases designed to illustrate the development of a body of law on a particular subject Text and explanatory materials designed for law study accompany the cases *Elements of Mediation* Sharon Leviton, James L. Greenstone, 1997 Presents a short overview with some practical do s and don ts for mediating in divorce custody and family problem situations The text offers an outline on mediation and how to do it and covers safety and other issues Mediation John R. Van Winkle, 2005 **The Mediation Kit** J. W. Zeigler, 1997-10-15 Even the most bitter civil disputes often can be worked out with the help of a neutral mediator This kit is a valuable resource for those looking to avoid court action through mediation Containing step by step instructions for utilizing the process this program was written by a dispute mediator who in the three years he has served in this capacity has guided 38 of his 54 cases to settlement **Encyclopedia of Psychology, 4 Volume Set** Raymond J. Corsini, 1994-03 Includes entries on such topics as psychoanalysis assertiveness training neurotransmitters and small sample statistics

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