

### **MEDIATOR'S OPENING STATEMENT**

Good Morning everyone! My name is Jillien Chan. You can call me Jillien. First, Welcome to mediation. I applaud you both for choosing us to work out on your issues together and very much thankful for your participation. I am pleased to assist you in working through your issues and I hope you will find mediation to be a very helpful process.

As your mediator, I am going to lead us through a procedure that will ask each of you to help me understand what brought us here today, and come up with a resolution that meets your needs. My job is to guide the two of you with a solution that works for both of you. In this position, I strive to be neutral, unbiased and impartial. To make our discussion achieve what you both desire, I await each of you to participate in good faith, that you will be respectful of the other person, and that you will listen to one another. I expect that you will speak honestly and bargain in good faith. I may ask you to take down notes of your worries if theres any that you have while the other is talking. I promise to make sure you have an opportunity to share your concerns.

In addition, mediation is a voluntary and informal process used to resolve conflict between the participating parties. To discuss the process, after this, my opening statement, each of you will be given an opportunity to present a statement to have a chance to develop your communications and begins with each party receiving uninterrupted amount of time to explain what brought you to table today. After that, we can set our agenda in order for us to set our step-by-step procedure.

In dealing with our agenda, we can explore the issues that each of you bring forth. During the process, I may ask for a private session in order for you to confess things which you wish to be confidential then we can proceed to a joint session after.

From the several options that we can come up after, you have both the right to choose the most appropriate resolution for the issues and then we will set then a mode of implementation. Thus, this will result with a mutually acceptable written agreement that both of you have signed. If any of you have a special need during the period, please let me know. Also, please silence all electronic devices during this mediation. If you don't have any inquiries, we can now begin.

### **AGENDA SETTING**

# Mediator Opening Statement

**James J. Alfini**



## **Mediator Opening Statement:**

**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 you to the process of mediation by using practical examples that show you how to better manage conflicts and resolve disputes Authors Suzanne McCorkle and Melanie J Reese help you to understand the research and theory that underlie mediation as well as provide you 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 you to distinguish between various approaches to mediation Additional discussions around careers in conflict management familiarize you with employment opportunities for mediators standards of professional conduct and professional mediator competencies New activities and case studies throughout each chapter assist you in developing their mediation competency      **Bioethics Mediation** Nancy Neveloff Dubler, Carol B. Liebman, 2011-06-06 A how to book for clinical ethics consultants palliative care professionals and bioethics mediators in the most difficult situations in health care Expanded by two thirds from the 2004 edition the new edition features two new role plays a new chapter on how to write chart notes and a discussion of new understandings of the role of the clinical ethics consultant      **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      **Basic Skills for the New Mediator** Allan H. Goodman, 2005 Companion volume to Basic skills for the new arbitrator Allan H Goodman      **The Advocate's Practical Guide to Using Mediation** John Settle, 2005      The Making of a Mediator Michael D. Lang, Alison Taylor, 2000-04-11 The Making of a Mediator goes beyond the traditional instructional manuals that concentrate on the nuts and bolts of the mediation process This book offers mediators and other conflict resolution professionals a conceptual framework and practical guidance for developing artistry in mediation In collaboration with Alison Taylor a pioneer in teaching and supervision of mediators renowned mediator Michael Lang describes the principles and methods of reflective practice If you want to become a competent resourceful mediator whose work reflects artistry The Making of a Mediator will give you fresh insights and teach you the methods and skills you need to reach new levels of professional development This essential resource combines innovative ideas and practices and provides A four stage model of professional development Key characteristics of artistic practice Theoretical guidelines for the application of mediation strategies and techniques Tactics

for forming effective hypotheses and methods for testing them Procedures for implementing reflective practice in mediation The Making of a Mediator is filled with lists of self reflective questions Exercises at the end of most chapters are specifically designed to help you understand the principles and methods of reflective practice head Take your practice to the next level learn the skills to practice artistry in mediation The Making of a Mediator goes beyond the basics of mediation process In this essential resource expert mediator and teacher Michael Lang outlines his innovative model of artistry in professional practice that results from the understanding of and connection between reflective practice and interactive process Together with Alison Taylor they have created a landmark book that offers conflict resolution professionals the theories principles practices and ideas for developing true artistry in mediation The Making of a Mediator has been worth waiting for This work provides a structure and methodology for those committed to the artful practice of mediation or for that matter the pursuit of any profession Robert D Benjamin M S W J D Mediation and Conflict Management Services Michael Lang and Alison Taylor lead us on a journey inside the mediator s head charting territory and options previously undiscovered by most mediators They offer assistance to all mediators to take their practice and mediation itself to the next level Bravo James C Melamed J D cofounder Mediation Information and Resource Center In this book practicing mediators will learn how to unleash talents they didn t know they had and how to keep replicating their successes for years to come Sylvia McMechan professor Master of Arts Program in Conflict Analysis and Management at Royal Roads University former executive director The Network An engaging and easy to use manual for all peacemakers and conflict resolvers to further their own and others practices I encourage every practitioner and trainer to incorporate these tools into their practices Juliana Birkhoff director Center for Research and Education RESOLVE LAZ ,2000 *Colorado Lawyer* ,2004 **Mediation Theory and Practice** James J. Alfini,2006 Mediator's Deskbook Kathleen M. Scanlon,1999 *Denver journal of international law and policy* ,2001

Constructive Conflict Management John Crawley,1994 When conflicts at work occur our traditional skills and positive instincts are deserted in favor of the easy fix the tough move or the clever device But unresolved conflicts simmer on until they explode again and before long managers feel as though they axe doing little else other than dealing with disputes of people in different camps cooperation replaced by combat and motivation going down by the minute **Alternative Methods of Dispute Resolution** Martin A. Frey,2002-08-02 This textbook describes different methods of dispute resolution and outlines the advantages and disadvantages of each Specific examples are used to illustrate key concepts and role play exercises are included as a means of reinforcing the main ideas Unilateral bilateral and third party approaches are all considered with discussion of inaction acquiescence self help negotiation juries mediation arbitration litigation and private judging *The Jurist* ,2011 Mediation Practice Guide Bennett G. Picker,2003 Written in a user friendly style the book is intended for lawyers and businesspersons alike and provides invaluable and straightforward understanding of key suitability preparation and advocacy issues in mediation **Conciliation and Mediation in India** Gracious Timothy

Dunna,2022-02-15 Global Trends in Dispute Resolution Series Volume 11 It can be said that negotiation is about what to do whereas mediation is about how to do it how to make sure control is in the hands of the disputants Although mediation as well as conciliation is taking hold in dispute resolution worldwide among the nations India shows the strongest signs of interest in developing a pervasive legal mediation culture In this invaluable book more than 20 formidable thought leaders with global reputations in dispute resolution describe how mediation is used and can be used to resolve different types of disputes in India and international cases With a focus throughout on the law and procedure applicable to conciliation and mediation in India addressing the involvement of each of the stakeholders in the process with relevant hints on practice the contributors examine such issues and topics as the following mediator ethics court annexed mediation institutional mediation mediating commercial disputes mediating company insolvency and bankruptcy disputes mediating government disputes mediating investor state disputes mediating family disputes e mediation community mediation and citizen empowerment mixed mode dispute resolution and cross border enforcement of mediated settlements Two practice oriented chapters synthesize the process techniques and approaches that experienced mediators and mediation advocates have found to be most valuable in their preparation for a mediation Included is a detailed commentary on Part III of the Arbitration and Conciliation Act 1996 and the 2018 Singapore Convention on Mediation There is little doubt that mediation is the dispute resolution choice of the next generation lawyer Present day lawyers judges and users are becoming increasingly convinced that early conflict resolution through facilitated negotiations avoids the pitfalls of adversarial modes of dispute resolution especially in terms of user satisfaction This book takes into account where India stands at present covering statutes international conventions and academic literature thus bequeathing a broad understanding of the subject for legal practitioners judges arbitrators mediators and conciliators users and technical experts who wish to understand it

**Alternative Dispute Resolution (ADR) in Nigeria** Dele Peters,2004      *ADR & the Law* ,1998 Includes indexes  
Our Mediation Notebook David W. Johnson,1991

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## **Table of Contents Mediator Opening Statement**

1. Understanding the eBook Mediator Opening Statement
  - The Rise of Digital Reading Mediator Opening Statement
  - Advantages of eBooks Over Traditional Books
2. Identifying Mediator Opening Statement
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Mediator Opening Statement
  - User-Friendly Interface
4. Exploring eBook Recommendations from Mediator Opening Statement
  - Personalized Recommendations
  - Mediator Opening Statement User Reviews and Ratings
  - Mediator Opening Statement and Bestseller Lists
5. Accessing Mediator Opening Statement Free and Paid eBooks
  - Mediator Opening Statement Public Domain eBooks
  - Mediator Opening Statement eBook Subscription Services
  - Mediator Opening Statement Budget-Friendly Options

6. Navigating Mediator Opening Statement eBook Formats
  - ePub, PDF, MOBI, and More
  - Mediator Opening Statement Compatibility with Devices
  - Mediator Opening Statement Enhanced eBook Features
7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Mediator Opening Statement
  - Highlighting and Note-Taking Mediator Opening Statement
  - Interactive Elements Mediator Opening Statement
8. Staying Engaged with Mediator Opening Statement
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Mediator Opening Statement
9. Balancing eBooks and Physical Books Mediator Opening Statement
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Mediator Opening Statement
10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
11. Cultivating a Reading Routine Mediator Opening Statement
  - Setting Reading Goals Mediator Opening Statement
  - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Mediator Opening Statement
  - Fact-Checking eBook Content of Mediator Opening Statement
  - Distinguishing Credible Sources
13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
14. Embracing eBook Trends
  - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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