

# The Process of Mediation

Mediator: Bob Good

## I. Convening

- Information sharing – in writing and orally
- Is there confidential information?
- Do you agree on the facts? Create two categories – the facts you agree upon and the disagreement you have about certain facts.

## II. Communication.

- A chance to explain – your perspective is important!
- Explore your emotional connection to the facts and the dispute
- What are the harsh realities?

## III. Negotiation

- Explaining some of the legal realities
- What are the practical realities?
- Where can you compromise?
- Do you need some space - time out of the room?
- Do we need more time? Time to just reflect? Another session? Further communication by email.

## IV. Closure

- Where do we agree? Clarifying those points with particularity so everyone understands.
- Are there loose ends? How will we deal with those?
- Final resolution
- How will the agreement be formalized in writing?