

Handout 6: A Simplified Mediation Process

Name: _____ Block: _____ Date: _____

As you learn about family and marriage in Canada, we also understand that relationships dissolve for one reason or another. If a marriage or common law partnership dissolves and there are children involved, there are alternatives to going to court.

One such alternative recommended by governments and the courts is family mediation. In this handout, you will find the basics of a simplified mediation process so that later on you can participate in mock mediation yourself. Remember that the mediator is neutral and has no authority to impose a decision.

The point of mediation is all about the talking and all about getting the participants past their positions. Participants may not even really understand their motivations prior to talking things out in mediation – that is why the role of the mediator is extremely important and complex.

Look very closely at what the mediator and the participants do at each stage of the process.

Step 1: The mediator sets the framework for the process.

- The mediator introduces him/herself as a neutral third party to help facilitate the communication process.
- The mediator informs the parties that he or she is there to identify and clarify issues.
- The mediator sets a non-threatening tone and asks the participants to respect each other and to listen when the other person is speaking.

Step 2: Each participant tells their story.

- The mediator asks an open ended question: “What happened?”
- Each person tells his or her side of the story with the help of the mediator. Example:
- “How does this make you feel?”
- The mediator actively participates during this process. The mediator paraphrases or summarizes each perspective.
- The mediator draws attention to the ways each participant feels and then asks each participant if their perspective and feelings were paraphrased correctly.

Step 3: Each person identifies his or her interests.

- Each person identifies his or her areas of interest or concerns.
- The mediator uses a chart to write down each person’s concerns or interests.
- Each person identifies the issues or items that they both agree upon and the mediator checks them off.

