

DFW/FEB Interagency ADR Committee – OPENING STATEMENT

1. INTRODUCTIONS

- A. Yourself – Name, Home Agency, etc. (Don't need to state your position title)
 - B. DFW/FEB – Interagency cadre of mediators
 - C. Parties – *First names?* (Mediation is informal. Ask if first names are okay.)
 - D. Compliment them on their courage to try mediation – something difficult and unfamiliar.
Reassure them that mediation can make difficult situations much better.
- Keep in mind that disputants may be tense, wary or skeptical. They are sitting across the table from people they may not like and may be asked to discuss their own faults and mistakes. Try to provide a comfortable atmosphere.

2. MEDIATOR'S ROLE

- A. Facilitate open and candid conversation between the parties in a safe environment
- B. Neutral – Mediators assist parties in reaching a solution(s); Not an arbitrator or a judge
- C. Any reason for either party to question your neutrality/impartiality?
- D. Any other relationships that might influence the mediation process?

3. GROUNDRULES

- A. Good faith effort – Listen; Consider options to resolve dispute
- B. Be courteous – No profane language; No yelling
- C. No interruptions – Parties should take notes on points they wish to discuss further

4. CONFIDENTIALITY

- A. Mediator
- B. Parties (Management with a need to know excluded from confidentiality requirements)
- C. Notes collected and destroyed at the end

5. SETTLEMENT AUTHORITY

- A. Each party must have authority to negotiate
- B. Each party must have authority to sign any written settlement agreement

6. PROCESS

- A. Complainant provides opening statement without interruption
- B. Other party responds without interruption
- C. Caucus – Separate, private meeting between mediator and one party; Confidential!

7. LOGISTICS

- A. Forms need signatures?
- B. Time constraints?
- C. Location of bathroom? Water fountain?
- D. Medical issues bearing on length/conduct of mediation?

8. COMMITMENT

- A. Obtain a commitment from both parties to fully participate in the process