

FAMILY MEDIATION TRAINING

Fall Issue 2019

One of our recent trainees, Cherise Loy, Esq. wrote to us and, with her permission, we are reprinting her story.

"Judge.....was hearing the testimony of one of the parents in a custody case I had. He said we should take five minutes and talk. Somehow I switched from opposing counsel to mediator. I worked with the two parents and counsel and we came to an Agreed Order. I left counsel to write the order and went outside the court room. The parties teenage children were sitting waiting. I told them their parents were working it out and they wouldn't have to testify. They were holding their phones and their shoulders went from their ears back to a relaxed position.

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NEWS FLASH

ELDER MEDIATION; TRAINING IN 2020: CALL OR EMAIL FOR INFORMATION

About our one day programs:
Track I: 3.0 CME hours of Marketing/technology; Track II: learn about dealing with pro se clients; Track III emphasizes the workplace and Track IV emphasizes LGBTQ including mediating with temporary restraining orders. Each Track has 2.0 Ethics, 2.0 Interpersonal violence and 1.0 for ALL Mediators including Appellate Mediators.

A FEW THOUGHTS ON THE STEPS OR PROCESS TO BE USED IN RESOLVING CONFLICT

Conflict is normal and in fact necessary as it establishes a “sense of self” or individuality. Most individuals deal with conflict either internally or interpersonally every day without recognizing it as such. Conflict can be productive when it forces creative solutions to a problem. It can also be functional where it forces emotional distance between two hurt individuals. Here are some steps to work with:

1. Identify the problem or issue (enlist the parties’ help in identification;
2. Develop a set of options for resolution. Do NOT evaluate—simply develop a list of options with the help of the parties
3. List the pros and cons of each alternative;

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IF YOU HAVE AN ARTICLE OF INTEREST WE WOULD BE PLEASED TO PUBLISH IT FOR YOU

Family Mediation Training

www.familymediationtrainingllc.com

Cherise Loy, Esq.

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The whole experience was so transformative. When I got back to the court room, the parties were standing right next to each other, smiling, laughing and talking. Opposing counsel said that it was a great testament to the both of them; they did not realize how much they agreed upon. He went further to say that just by seeing how close they stood next to each other spoke volumes. The attorney said I did a wonderful job helping the parties. I boasted about the training and how wonderful it was to learn to help people. We agreed how well off this family was in their communication compared to most we see. I don't think I would've had such success had it not been for the amazing training with you. I thank you from the bottom of my heart."

A FEW THOUGHTS ON THE STEPS OR PROCESS TO BE USED IN RESOLVING CONFLICT

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4. Decide who does what by when and have a timetable agreed upon;
5. Go to the future: If you cannot settle the immediate issue, then ask what needs to happen to prevent reoccurrence of the problem;
6. Keep momentum moving forward;
7. Explore what will happen if the problem is not resolved;
8. Problem areas: power imbalance, emotions—-keep separating the people from the problem;
9. Validate Opinions. Opinions hit at the very core of self esteem!!!!

In sum, those factors that determine *Constructive* resolution of Conflict are:

- a. mutual cooperation
- b. open communication
- c. each is interested in information from the other

In sum, those factors that determine *Destructive* resolution of Conflict are:

- a. competition
- b. lack of information and exploration of alternatives

Guide: Increase those factors leading to cooperation and decrease those factors leading to competition. This is rarely done through extensive use of Caucus because the parties are discouraged from working together.