

# Mediation Checklist - Opening

- Introductions
- Ground Rules
  - a. Voluntary
  - b. Confidential
  - c. No recordings
  - d. Speaking one at a time
  - e. Truthful
  - f. Polite
- Defining the Role of the Peer Mediator
  - a. Impartial
  - b. Not giving advice
  - c. Guiding the Process
  - d. Reporting Threats
- Review the Agreement to Mediate
  - a. Provides a formal agreement that participants sign prior to mediation
  - b. Reiterates all of the above points:
    - i. Role of the mediator
    - ii. Responsibilities of each party
    - iii. Process of mediation
    - iv. Voluntary
    - v. Confidentiality
- Taking Questions
  - a. Be patient and stay positive
  - b. Gathering Signatures
- Opening the Mediation

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*Each Opening Statement should cover the following information:*

- First, thank everyone for being there. Mention that mediation is voluntary.
- Introduce yourself as the mediator.
- Have the parties introduce themselves and ask what they would like to be called.
- Explain what mediation is and why it can be beneficial.
- Explain what the role of the parties is.
- Explain what will happen next. Politely ask the parties to give their opening statement.



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## Example of an opening statement

*Hello everyone, welcome to your mediation. My name is \_\_\_\_\_ and this is my co-mediator \_\_\_\_\_.*

*We want to thank you for choosing mediation to resolve your conflict. We are glad you are here and we look forward to helping you work through your conflict in a productive and collaborative manner.*

*First, I would like everyone in the room to please introduce themselves and say what they would like to be called. (pause for introductions)*

*Thank you everyone. Now, I would like to talk about the benefits of mediation before we get started. Mediation is an opportunity to resolve your dispute in a peaceful and collaborative manner. Mediation is voluntary and confidential.*

*Our role as co-mediators is to be neutral, non-judgmental and to maintain confidentiality throughout the process. As mediators, we will not take sides and we will listen fully to each point of view.*

*Now I want to talk a little bit about your role today. Your role as the parties will be to please be patient, flexible, and please listen to one another. We ask that you are respectful throughout the process and do not interrupt one another. We ask that you take the time to listen and think about the other party's point of view in order to find solutions, and to think creatively about ways we can resolve this case today.*

*Are there any questions before we get started? (pause for questions)*

*Great. Now to begin, we would like to ask each of you to tell us what brought you to mediation today and tell us a little bit about your side of the story.*