

## **MEDIATOR OPENING STATEMENT**

Hello, Good Morning/Afternoon. Please come in and have a seat. Allow me to introduce myself, my name is Saksham. May I speak directly to your client?

Please review the Agreement to Mediate and other appropriate paperwork I've given you and, if okay, please sign.

### **Comforting Questions**

- Is the seating comfortable?
- Is the lighting okay?
- Does anyone have any time or other limitations we should be aware of?

### **Decision Makers**

Are you capable of, and can you make a decision(s) regarding the resolution of this matter, if you deem it appropriate? In other words, can you make a decision without talking with anyone not here?

### **Opening Statement**

I am now going to make what mediators call an opening statement (O/S). My O/S will tell you about your rights and entitlements, what to expect, and what will occur here to give you a heads-up as to what to anticipate from this mediation.

After I'm finished with my O/S, I'd like to hear an uninterrupted O/S from you. Please tell me what you think I need to know to bring me up to speed so I can be as effective as possible in helping you make the most of this mediation.

What is mediation and what is a mediator?

Mediation is negotiation with the assistance of a neutral, the mediator. I'm here to help you negotiate. The purpose of mediation is to help you, if possible, find common ground so this matter may be resolved.

### **Rights and/or Entitlements**

#### **1. Confidentiality**

I will keep all that I hear in this mediation confidential and will not share any of it with anyone. I also request you keep what is discussed confidential as well.

#### **2. Voluntary**

# Mediator Opening Statement

**John R. Van Winkle**



## **Mediator Opening Statement:**

**The Mediator's Handbook** John W. Cooley, 2006      *Mediation Theory and Practice* Suzanne McCorkle, Melanie J. Reese, 2018-03-23 Mediation Theory and Practice Third Edition introduces students to the process of mediation by using practical examples that show students how to better manage conflicts and resolve disputes Authors Suzanne McCorkle and Melanie J Reese help students to understand the research and theory that underlie mediation as well as provide students with the foundational skills a mediator must possess in any context including issue identification setting the agenda for negotiation problem solving settlement and closure New to the Third Edition Expanded content on the role of evaluative mediation reflects the latest changes to the alternative dispute resolution field helping students to distinguish between various approaches to mediation Additional discussions around careers in conflict management familiarize students with employment opportunities for mediators standards of professional conduct and professional mediator competencies New activities and case studies throughout each chapter assist students in developing their mediation competency      **The Mediation Handbook** O. Russel Murray, 2011-10-20      **The Mediator's Handbook** Ruth Charlton, Micheline Dewdney, 1995 Practical handbook which provides guidelines on how to develop and improve mediation skills for beginners and experienced mediators Techniques and skills outlined are applicable to all types of disputes including commercial family community environmental and workplace Discusses the most appropriate strategies to apply in particular contexts Includes index Ruth Charlton is a solicitor in private practice lawyer mediator and co editor of Australian Dispute Resolution Journal Micheline Dewdney is a solicitor of the Supreme Court of NSW lawyer mediator and co editor of Australian Dispute Resolution Journal      **Bioethics Mediation** Nancy Neveloff Dubler, Carol B. Liebman, 2011-06-06 A how to book for clinical ethics consultants palliative care professionals and bioethics mediators in the most difficult situations in health care Expanded by two thirds from the 2004 edition the new edition features two new role plays a new chapter on how to write chart notes and a discussion of new understandings of the role of the clinical ethics consultant      *Basic Skills for the New Mediator* Allan H. Goodman, 2005 Companion volume to Basic skills for the new arbitrator Allan H Goodman      Mediator's Deskbook Kathleen M. Scanlon, 1999      *The Making of a Mediator* Michael D. Lang, Alison Taylor, 2000-04-11 The Making of a Mediator goes beyond the traditional instructional manuals that concentrate on the nuts and bolts of the mediation process This book offers mediators and other conflict resolution professionals a conceptual framework and practical guidance for developing artistry in mediation In collaboration with Alison Taylor a pioneer in teaching and supervision of mediators renowned mediator Michael Lang describes the principles and methods of reflective practice If you want to become a competent resourceful mediator whose work reflects artistry The Making of a Mediator will give you fresh insights and teach you the methods and skills you need to reach new levels of professional development This essential resource combines innovative ideas and practices and provides A four stage model of professional development Key characteristics of artistic

practice Theoretical guidelines for the application of mediation strategies and techniques Tactics for forming effective hypotheses and methods for testing them Procedures for implementing reflective practice in mediation The Making of a Mediator is filled with lists of self reflective questions Exercises at the end of most chapters are specifically designed to help you understand the principles and methods of reflective practice head Take your practice to the next level learn the skills to practice artistry in mediation The Making of a Mediator goes beyond the basics of mediation process In this essential resource expert mediator and teacher Michael Lang outlines his innovative model of artistry in professional practice that results from the understanding of and connection between reflective practice and interactive process Together with Alison Taylor they have created a landmark book that offers conflict resolution professionals the theories principles practices and ideas for developing true artistry in mediation The Making of a Mediator has been worth waiting for This work provides a structure and methodology for those committed to the artful practice of mediation or for that matter the pursuit of any profession Robert D Benjamin M S W J D Mediation and Conflict Management Services Michael Lang and Alison Taylor lead us on a journey inside the mediator s head charting territory and options previously undiscovered by most mediators They offer assistance to all mediators to take their practice and mediation itself to the next level Bravo James C Melamed J D cofounder Mediation Information and Resource Center In this book practicing mediators will learn how to unleash talents they didn t know they had and how to keep replicating their successes for years to come Sylvia McMechan professor Master of Arts Program in Conflict Analysis and Management at Royal Roads University former executive director The Network An engaging and easy to use manual for all peacemakers and conflict resolvers to further their own and others practices I encourage every practitioner and trainer to incorporate these tools into their practices Juliana Birkhoff director Center for Research and Education RESOLVE Florida Mediation/arbitration Programs ,1998 **Mediation Theory and Practice** James J. Alfini,2006 Elements of Mediation Sharon Leviton,James L. Greenstone,1997 Presents a short overview with some practical do s and don ts for mediating in divorce custody and family problem situations The text offers an outline on mediation and how to do it and covers safety and other issues The Jurist ,2011 Colorado Lawyer ,2004 **Becoming a Mediator** Peter Lovenheim,2002-03-07 Most mediators feel that helping people end conflicts is special work and they re sustained by rewards beyond money praise or fame But with no obvious career path and no prescribed courses to take or degrees to earn how does one become a mediator Whatever your background whether in law social work teaching psychology business homemaking or parenting you can become a mediator and find a satisfying career says Peter Lovenheim Becoming a Mediator shows you how offering a practical nuts and bolts guide to breaking into the field and a no nonsense approach to the reality of current professional opportunities Drawing from the experiences of actual mediators as well as from his own many years of work as an attorney and mediator Lovenheim not only provides a vital resource but also conveys the sense of mission mediators feel for this emerging new profession Florida Law Review ,1998 **The Mediation Process**

Christopher W. Moore, 1986-03-19 Provides mediators and other professionals who use mediationsuch as lawyers therapists and personnel managerswith comprehensive step by step instruction in effective dispute resolution strategies

*Encyclopedia of Psychology* Raymond J. Corsini, Bonnie Davis Ozaki, 1984-05-14 Reference source for psychologists psychiatrists social workers counselors sociologists anthropologists and other professionals who do research in human behavior With approximately 2 150 entries 1 500 subjects 650 persons some twenty four are on psychology throughout the world as well as biographical entries of deceased and living contributors to psychology Encyclopedia may be consulted for ready reference summary or textbook information Entries give name or subject dates discussion cross references references and name of author Volume 4 consists of bibliography of 24 521 items name index and subject index      Alternative Dispute Resolution Susan B. Meek, 1996      ADR Currents , 1996      **Mediation** John R. Van Winkle, 2005

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