

## Mediation Tips and Anchors

- 1. Recognize the futility of arguing.** You have taken a giant step forward by agreeing to mediate with the other party. *Identify* your perspectives, interests, and beliefs and *listen* for what you can learn about how to negotiate to the other party's perspectives, interests, and beliefs.
- 2. Recognized your own needs and respect the needs of the other party.** A party needs to go through his/her own development of the issues, evaluation of options and determination of needs. This may take longer for one party than for the other party. The more prepared to negotiate each party is, the more successful the argument will be for each. Be mindful of conduct which interferes with the needs of the other. Make it safe for the other to say what needs to be said.
- 3. Speak only for yourself. Use 'I' statements.** Listen for the tendency to include reference to the other party in one's language. Re-frame speech to exclude references to what the other party thinks, feels, wants or needs.
- 4. Avoid language about the other that is critical, judgmental, accusatory, blame-oriented, sarcastic or inflammatory.** Ask yourself how well you respond to this type of language.
- 5. Commit to the fullest development of choices and alternatives.** This will dovetail into #2. The widest range of all possible choices will only be developed by each party having the ability to express all interests, perspectives and objectives. Remember that your self-interest is served by contributing to the creation of the widest range of choices.
- 6. Just say "No".** The process is entirely voluntary and no amount of legal force will be used to create an outcome over the objection of the other. Each is empowered to control the outcome by having the right to say "no" to anything that is not acceptable to that party.
- 7. Be effective.** Can you think of any better word to characterize your conduct in the mediation than "effective"? Measure the value of anything you do by asking whether it is effective in advancing you to your desired goals or objectives. Emotions may compel you to show your anger, hurt, pain, distrust or contempt for the other. Be mindful of how effective such conduct will be in achieving your goals.
- 8. Be empowering. Take responsibility for your feelings, your interests and your choices.** Holding another responsible for how you feel, what you need and what you choose, serves only to make you dependent on that other person. By taking responsibility for your feelings, your needs and your choices, you take control over your life in every meaningful sense of the word.