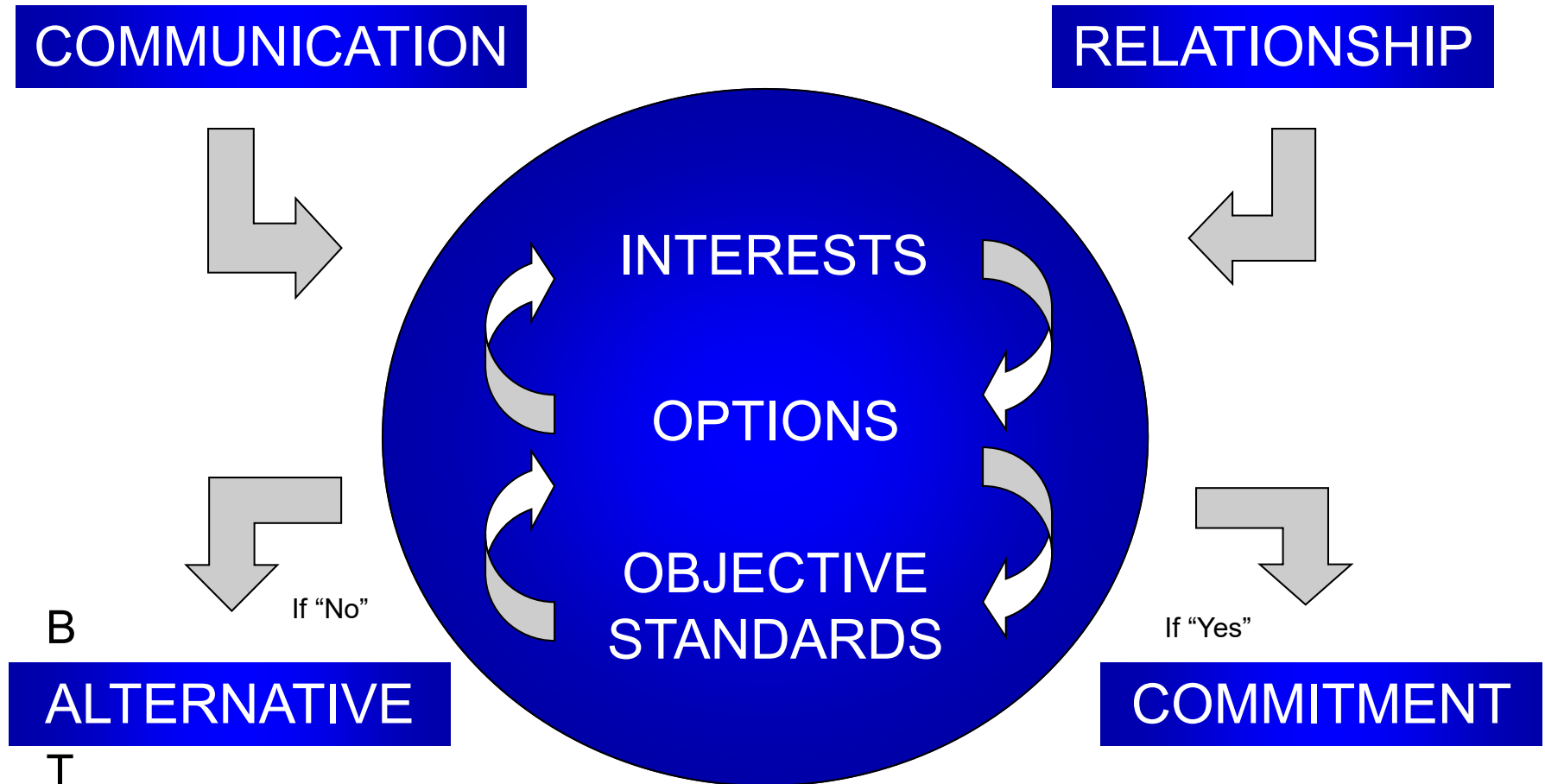


# Negotiation Framework for Mediators



T  
M  
A

# Early Private Session Mechanics

[check with party not going to private session / give homework]

- Welcome back
- Confidentiality overview
  - This session will be as confidential as you want it to be
  - We'll check in with you at the end of this session about what you want us to keep private from the other party
- Anything to add?
- Allow for venting
- Summarize / reframe to interests:
  - Ask “Why?” / Follow-up with “Anything else?”
  - Ask / listen for options once interests are out
  - Wrap-up with summary of interests / options
- Confidentiality check / give homework

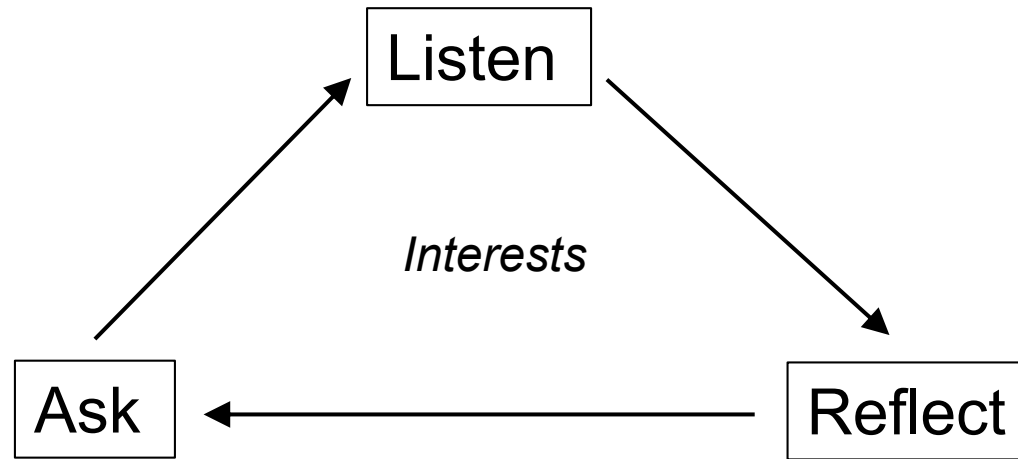


# Later Private Sessions

- *Goals*
  - Develop / Refine options
  - Evaluate alternatives / Address impasse
  - Prepare to reach agreement or end mediation
- *Mechanics*
  - Welcome back / Begin with confidentiality
  - Ask about homework and explore options
  - Address barriers to agreement
  - Conduct Reality Testing
  - Examine / Discuss alternatives
  - Prepare for final joint session
  - Close with confidentiality



# Listening Triangle



- OEQ (open-ended questions)
- CEQ (closed-ended questions)

- What are hoping to achieve in mediation?
- What would be a successful outcome?
- Tell us more...
- Why is that important to you?
- Is there anything else?

- Repeat
- Summarize
- Reframe
  - Positions to interests
  - Negative to positive
  - Past to present

