



ADR Institute of Ontario

LET'S THINK OUTSIDE THE BOX TOGETHER - ABOUT MEDIATING INTERPERSONAL DISPUTES

ADRIO's 41st Annual Professional Development Conference

in Collaboration with BFL Canada

Dispute Resolution at the Speed of Change

Charting the Future Through New Perspectives, Service Growth, and Skills Evolution

Presented by **Cinnie Noble**





Topics We'll Discuss

REGARDING INTERPERSONAL DISPUTES



Pre-Mediation



Mediation Training



Research



Interpersonal Disputes

Any type of relational conflict between people who want to resolve or dissolve matters between them.

TYPES OF DISPUTES



Workplace



Family
members



Family
businesses



Neighbor



Business
partners



Boards



Friends



Estates



Why did you choose
to become
a mediator?



How Might We Make Conflict a Better
Experience for People in Dispute?

Pre-Mediation



A man and a woman are sitting on a light-colored sofa in a modern, minimalist living room. The woman, on the left, is wearing a light grey sweater and blue jeans, sitting cross-legged and looking out a large window. The man, on the right, is wearing a dark blue shirt and khaki pants, also looking out the window. In the foreground, a low wooden coffee table holds a stack of books, a small bowl, and a vase with dried flowers. The room is softly lit with natural light from the window.

Consider This

❏ You are a disputant in a mediation in a few weeks — with a friend, family member, business partner, or neighbor — about a breakdown in the relationship.

What Concerns,
Thoughts, and
Feelings Come Up for
You?

Research in the Development of Conflict Management Coaching

A one-on-one process in which a trained coach supports clients who want to gain increased confidence and competence to independently engage in their interpersonal disputes.

Some Findings Expressed by Parties

After a Mediation — Regarding Their Experiences Prior to, During, and Afterwards

- 1 — Lack of confidence and anxiety, including how to effectively communicate and respond to the other person
- 2 — Not having a full understanding of the process
- 3 — Anxiety to get the process over with regardless of outcome (giving in)
- 4 — Trepidation about facing the other person
- 5 — Other fears — becoming emotional, unable to control anger, blurting things out
- 6 — Worrying that things wouldn't resolve — and then, what?
- 7 — Regrets afterward for what remains unsaid, what was said
- 8 — Shame about behavior
- 9 — Recriminations such as not being able to handle the situation before it got so far

One of My Biggest Take-Aways

Mediating parties want to be —
and *feel* — better prepared.



Some Changes I Made in My Mediation Practice



Explain Process More Fully



Coach Each Party Prior to Coming Together



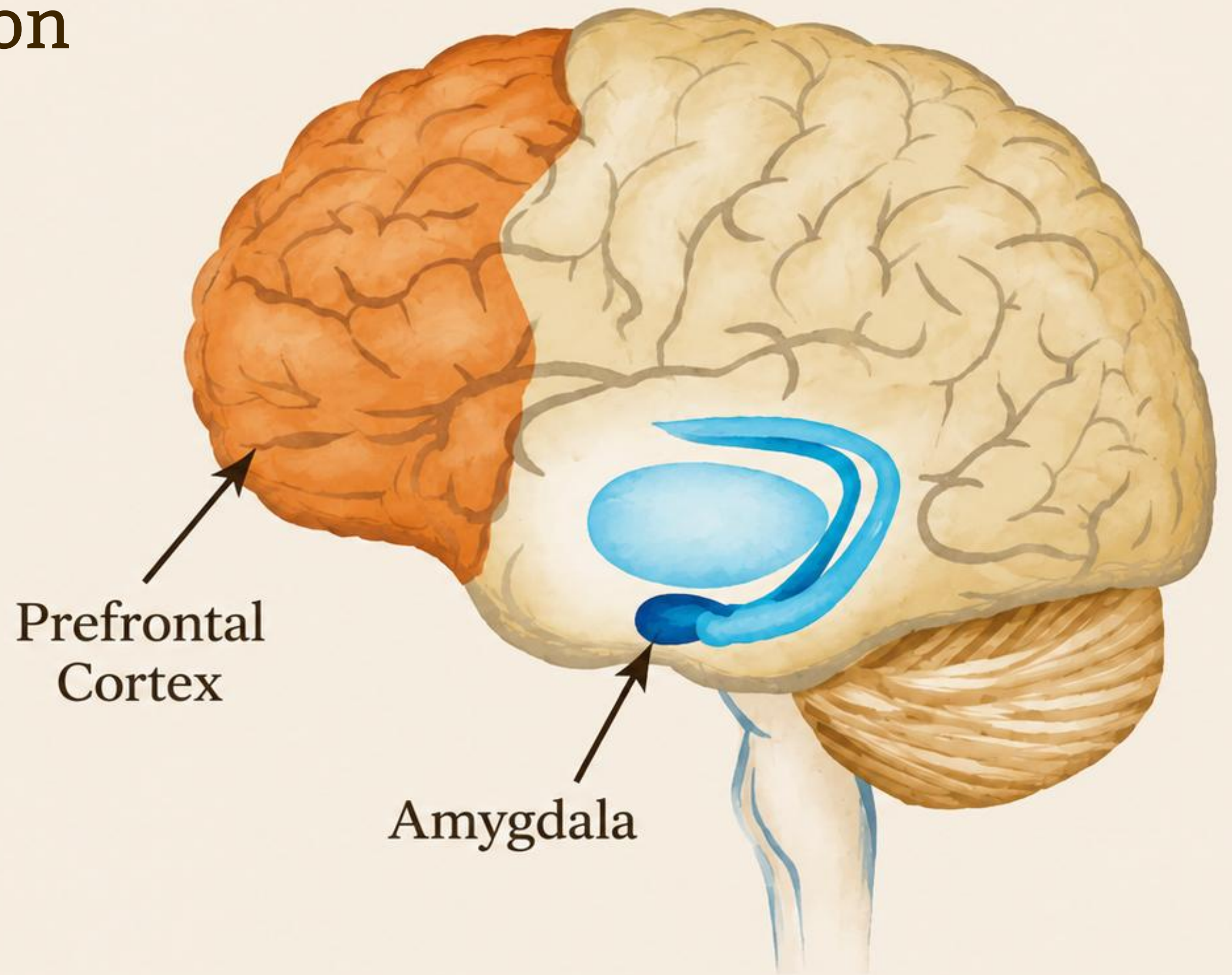
Use a More Partner-Like Approach



Other Brain-Friendly Practices

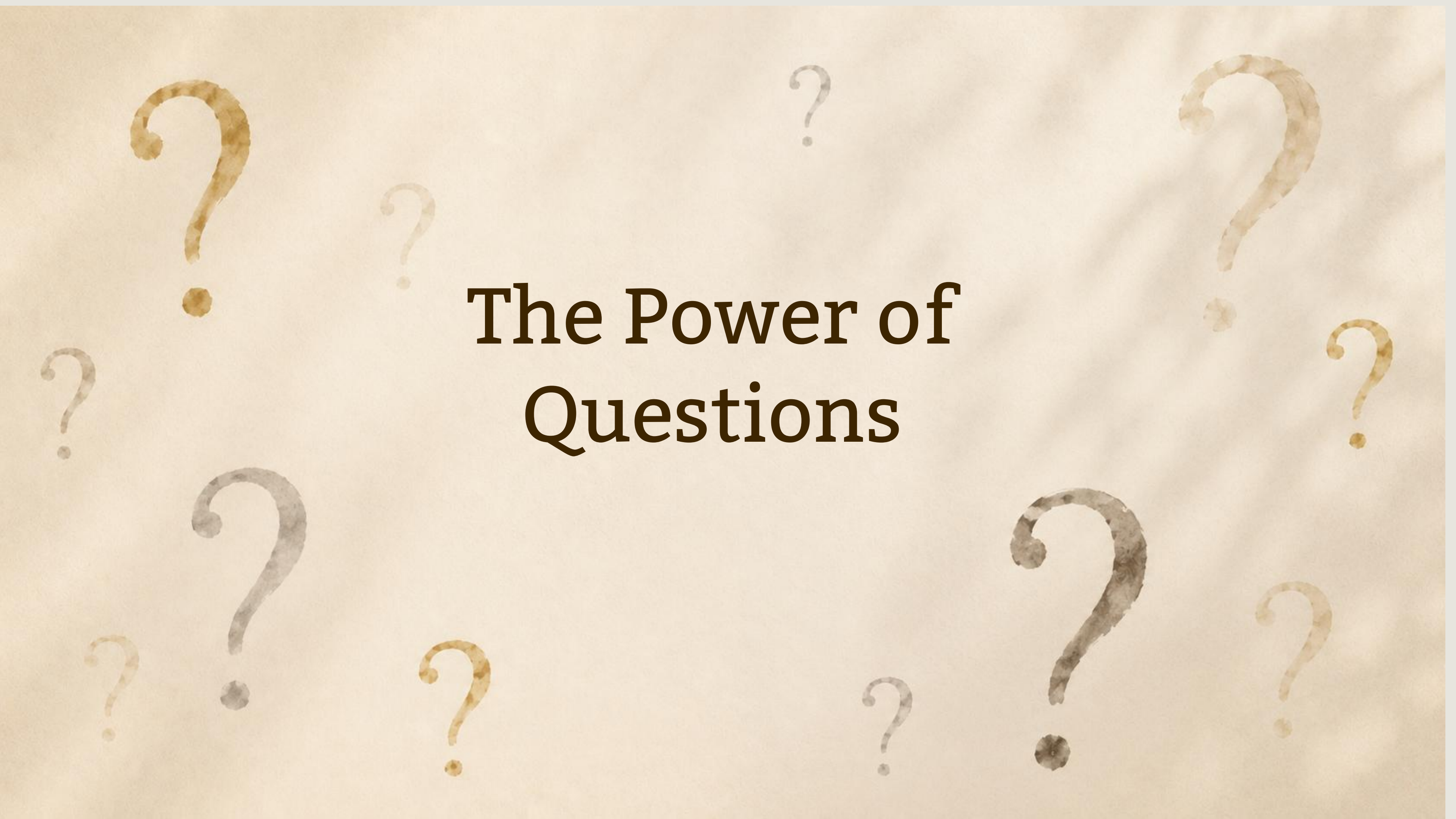


Moving from Reaction to Reflection

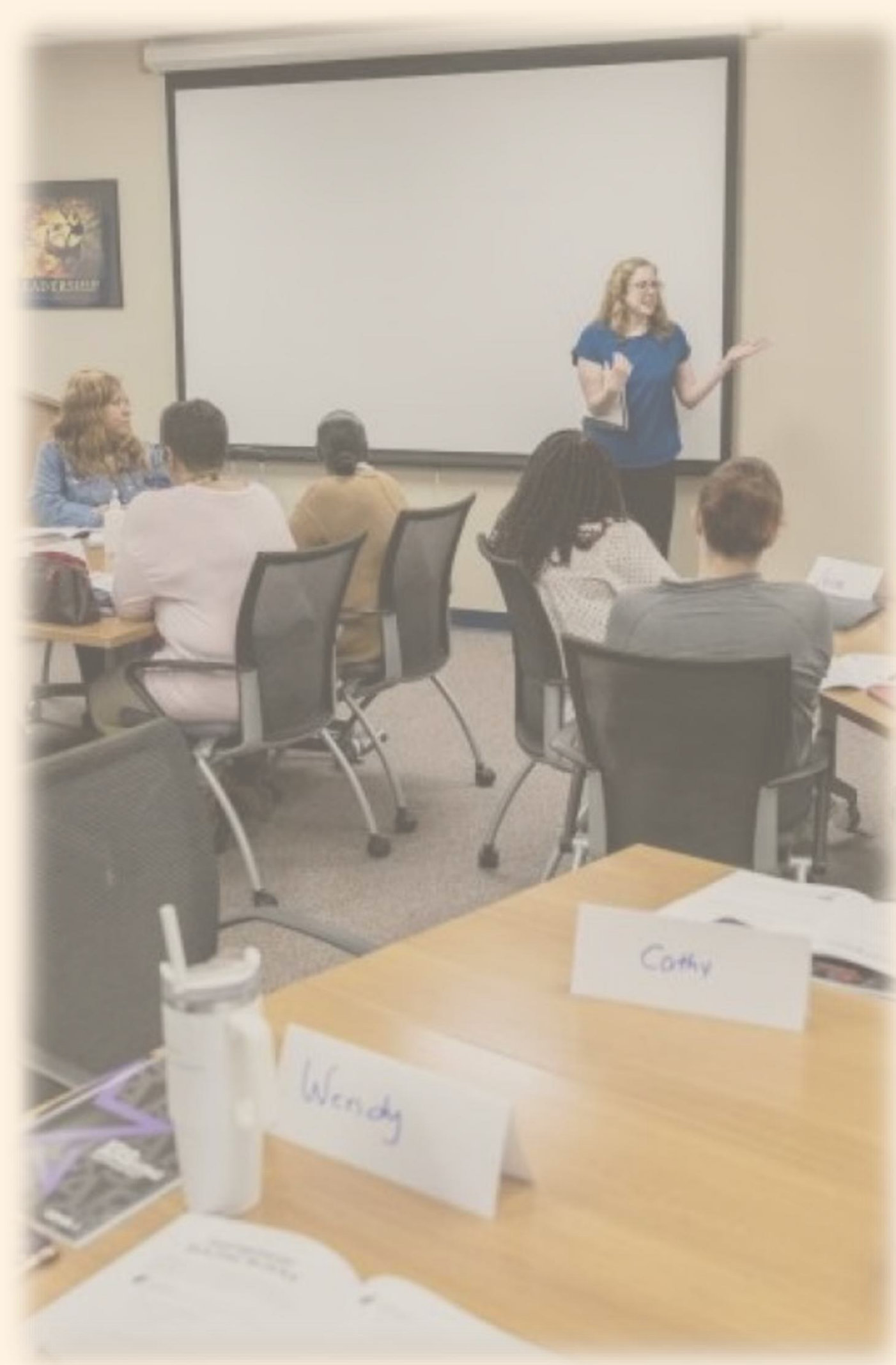




Preparing Parties to Participate in Mediation

The background is a light beige or cream color with a subtle, mottled texture. Scattered across the entire background are numerous question marks of varying sizes and colors. Some are a golden-brown color, while others are a muted grey or taupe. They are positioned at different angles and scales, creating a sense of depth and curiosity.

The Power of Questions



Mediation Training

Examples of Possible Modules

From Which I Would Have Benefited

- Cultural awareness — equity, diversity, inclusion
- Methodologies for people who are neurodivergent
- Power imbalances and dynamics — including levels of confidence and communication styles
- Mediator's biases, prejudices, and stereotyping
- Mediator's triggers (certain types of behaviors)
- Mediator's tendencies to rescue, lead, align, or steer
- Working with complex emotions such as grief, shame, and guilt
- Trauma-informed practices
- Psychological safety
- Pre-mediation techniques
- Reflective practice and supervision

Reflection Questions for You

Looking Back

Thinking back to when you were first trained — what additional modules might have benefited you and your practice when it comes to mediating interpersonal disputes **(to have been part of your initial training)**?

Looking Forward

What further training are you realizing you would benefit from **NOW** regarding mediating interpersonal disputes?

Research

Research Ideas to Explore

What research ideas might help inform us about optimal ways to support mediating parties through their interpersonal disputes?

Consider, for instance:

What questions might we ask parties a few weeks post-mediation?



out of the box?

nah, there's no box!



Your Take-Aways

My Sincere Thanks to Adrio, to Tommy, to Jason, to All of You.

