

OPENING STATEMENT CHECKLIST
Community Mediation Services

INTRODUCE self. Meet parties.

- First names OK?
- Introduce observers. Explain their role.

COMMEND parties for using mediation.

VOLUNTARY PROCESS

- Remind parties of this fact.
- Are parties there voluntarily?
- Are there court orders requiring you to be here or preventing contact?
- How referred to CMS?
- Are all necessary parties present?

CONFIDENTIAL

- Exceptions:
 1. Felony abuse (child, elder, disabled, etc) must be reported.
 2. Threats to injure any person or damage property is not confidential.
- Mediators cannot be required to testify.
- All mediator notes will be destroyed.

MEDIATOR ROLE

- Impartial facilitator, not advocate or judge.
- Lead you to your own solution or an understanding of each other and your options.

PARTIES ROLE (Get verbal OK)

- Good faith: listen, keep open mind, share information, negotiate without fixed position
- Common Courtesy: no interrupting or inflammatory language.

PROCESS

- Party statements/responses. 10 min. openings, 5 min. responses.
- Develop list of items for discussion.
- Negotiate items.
- Caucus (optional). Explain confidentiality.
- Mediation agreement. Their agreement.

TIME CONSTRAINTS

- 2 – 3 hour process.

Questions?

Cell Phones Off

MEDIATION AGREEMENT

- Collect (previously sent copy)
- All sign one copy (except observers)
- Retain top copy for CMS

DETERMINE PERSON TO BEGIN