

NEW MEXICO MEDIATION ASSOCIATION

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UPDATE

We would like to start out by saying *Thank You* to Ann Lightsey for being our “Contributing Columnist” in the March Newsletter. As many of you are aware, Ann has been a mediator and corporate trainer in our community for many years and continues to guide us with her education and training programs. If you wish to learn more about Ann and all the outstanding things she has to offer our community please visit her website at annelightsey.com.

If you or someone you know would like to contribute to either the “Lunch and Learn” or “Contributing Columnist” please email our board Secretary at ehmediator@email.com. All member contributions will be brought before the board for consideration and placement.

Please keep in mind that the newsletters are also being placed on www.newmexicomediationassociation.org. Elena will also send the NMMA Monthly via email for the next few months in order to allow for a smooth transition which will ultimately involve visiting our website for the monthly newsletters. Please feel free to contact our Board Secretary with any questions, comments or contributions for the Newsletter. As always, please feel free to contact any of our Board Members with questions and comments. Remember, we are a *community* and we welcome input and participation.



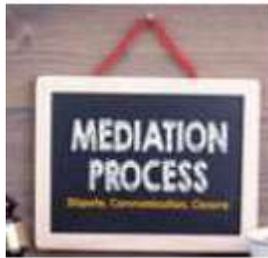
RENEW YOUR MEMBERSHIP THROUGH OUR WEBSITE

If you have not paid dues for the 2017-18 year, and are interested in renewing your membership, please complete the Membership Form found at www.newmexicomediationassociation.org. Please contact our Treasurer, Holly Meyer at nmmatreasurer@gmail.com with any questions regarding your membership dues.

“Only the development of compassion and understanding for others can bring us the tranquility and happiness we all seek.” – Dalai Lama

NMMA MEMBERSHIP SURVEY – WE NEED YOUR OPINION!

Dear NMMA Members, the Association Board’s goal is to make NMMA “user friendly” – to give you, the members, what you want and need from the organization. In order to help us understand what members want and where to focus our attention, we’d really appreciate it if you’d take a minute to take our short poll regarding member benefits and activities you’d be interested in. To participate in our survey please go to newmexicomediationassociation.org. Many thanks to Shannon Driscoll our Vice President who put this survey together in order to attract new members and foster current member involvement.



CONTRIBUTING COLUMNIST

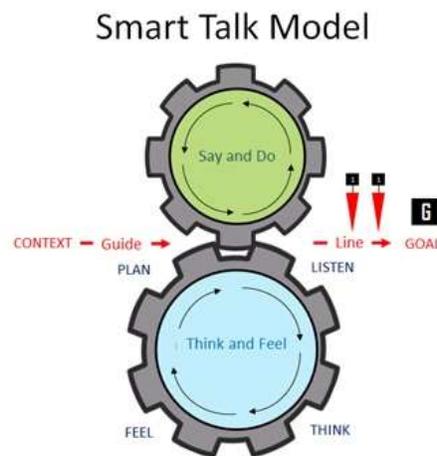
MEMBERS: We did not have a local columnist in time for this month’s “Contributing Columnist” therefore we chose to use a national article for your education. We do however have community members that have expressed an interest in future issues and therefore we will continue to offer this section for our members.

USING COMMUNICATION TOOLS IN MEDIATION

By Randy Marcoz - www.mediate.com

At the outset of a mediation, the disputants have all the background, the history, and the inside knowledge about the dispute. Mediators must play “catch-up.” They must get information and insight into the nature of the dispute and the parties involved. This is necessary to provide the help required to achieve a resolution. Much of the key information must be developed during the mediation process. This discovery requires good communication skills. It can be quite a challenge to collect all this information in the midst of the mediation. We want to use the best communication tools available to develop an accurate and unbiased understanding of the parties and their interests. We want to leverage these tools to help us move the process towards a desired end: a durable agreement. This has been a challenge for me since the time I was an intelligence officer in the Army. As an investigator, trainer, counselor, and now mediator, I have always wanted to leverage effective communication skills. I saw this as a vital part of increasing my understanding in every interaction. I have realized the more I understand about those with whom I interact, the better able I am to achieve my goal for the interaction. I wanted a way to help me to leverage the best communication tools in all my interactions. So, I adapted the model used to produce intelligence to guide my interactions. I then refined the model to integrate other communication best practices. Basically, I produce intelligence for myself. I use this intelligence to move communication towards achieving the goal for every interaction.

Below is the model I use to guide my interactions with others. It starts with understanding the context of the interaction. What do we know about the dispute and the parties involved? From context, we want to make sure we have identified a goal. In the case of mediation, that is an agreement. With a goal in place, we can select specific interim objectives that will help us achieve that goal. These may include objectives like identifying the interests behind each party's position. This part of the model we call the guideline. The other two parts of the model are what drives the interaction along the guideline to our desired goal. In the diagram, they are depicted as cogwheels that are connected at the guideline. These two cogwheels represent what we say and do and what we think and feel. What we say and do represents the communication skills we know and apply to our communication. These include such things as asking good questions, encouraging creative brainstorming, and empathically reframing other's statements. Such skills are important in moving the mediation process along the guideline. The guideline to interim objectives and ultimately our goal of a durable agreement. We have a lot of options to select from when we are deciding what to say and do. The question becomes how we decide from among these options. What informs our decision? Our goal and objectives will help guide this selection. Our own perceived competence will also guide this decision. We would generally select skills we are good at. The parties involved in the mediation should also guide what we say and do. This is where the other cogwheel in the model, think and feel, comes into play.



The think and feel part of the model breaks down the mental processes we use into four simple steps. These steps help us integrate more best practices into our communication with others. These four steps are listen, think, feel, and plan. The cogwheel that represents the think and feel part of the model is the larger of the two cogwheels. This is to emphasize these steps. They are vital to ensuring what we say and do is informed by accurate understanding. We are trying to really understand what the other parties are saying and doing. Many communication best practices can be integrated into the think and feel component. The SIER approach to active listen follows a similar progression as the think and feel steps. Like the intelligence model it is based on, there is a connection with critical thinking. These steps also support the use of communication accommodation. Communication accommodation can be an important aspect of empathic listening and reframing. In addition, these steps can help avoid cognitive biases that impact understanding. Such biases include primacy effect and belief perseverance. This is just a sample of the many skills that can be integrated into these steps. With all that can be integrated into the think and feel component, this aspect of the model can become quite complex. For our purposes in this article, four basic questions provide a basic summary of the four steps associated with think and feel. These are:

- LISTEN—What did the person say verbally and non-verbally? (Focused listening.)
- THINK—What could this information mean? (Development of multiple competing hypotheses.)
- FEEL—What does this information mean in the context of the other person? (Integration of your understanding into the other person's world.)
- PLAN--What will I say or do next, based on my understanding of this information? (Linking thinking and feeling with saying and doing.) This approach to interpersonal communication has helped improve my understanding of others. It has also helped the hundreds of students I have shared it with. We are better able to achieve the goals we set for all our interactions. Perhaps it can be a tool you can add to your mediator tool box. It may help you achieve better understanding of your clients and their interests. Better understanding may help you help them achieve successful resolution of their conflicts.



UPCOMING EVENTS

Facilitating with Finesse preparing yourself for the best... and worst that groups have to offer! A workshop presented by: Kathleen Oweegon

Registration deadline: May 25, 2018

(Registration limits: minimum:10/maximum: 20)

Public training June 9, 10 & 23, 24, 2018 (4 days)

Advanced Facilitation Training

Excellent Customer Service, Part 1 ~ The Essentials

Excellent Customer Service, Part 2 ~ Dealing with Angry People

Create A Better Tomorrow ~ Tools for Conflict-free Communication

Communication Coaching

Empowering the Learner to Learn - The Art of Training

Where: Crowne Plaza Hotel, ABQ, NM (special discount on lodging rooms available)

Cost: \$525 + tax (Register by May 9th, or in groups of 4 or more - \$475 + tax per person)

Contact Kathleen - (505) 501-7000 or oweegon@bridgesofpeace.com

New Mexico ADR Bureau Training News (Summary)

For detailed information please visit: <http://www.generalservices.state.nm.us/riskmanagement/Training>

Conflict, Communication and Change

2 Day Class in Las Cruces: May 3 & 4, 2018

2 Day Class in Las Vegas: May 8 & 9, 2018

ADR Coordinator Training

1 Day Class in Albuquerque: June 20, 2018

This training is highly recommended for designated ADR Coordinators representing state agencies or state entities. We welcome new ADR Coordinators, as well as those who would like a refresher course. Come and learn about the ADR process in State Government.

COMING SOON: 40-Hour Beginning Mediation Certification

5 Day class in Farmington: June 4-8, 2018 Graduates of this class will serve as volunteer mediators in our program. Interested in this or a future class?



SUBMISSION REQUESTS OR EMPLOYMENT OPPORTUNITES

The Magistrate Court Mediation Program is starting a program in the Santa Fe Magistrate Court and is looking for volunteer mediators!

Mediations will begin late June 2018

Facilitative co-mediation model

Small claims cases

Program offers mentorship and help with mediators' skill development

Mediations will be scheduled during regular business hours on Tuesdays and Thursdays

Orientation meeting will be held on Friday, May 18, 2018

If you're interested in mediating or have questions, please email abbyfoster@outlook.com or sallymargolin@yahoo.com.

MEDIATION GATHERING/BRAINSTORMING

Lucy Moore, environmental mediator in Santa Fe, would like to know who is interested in gathering at a public place after work, probably one with snacks and drinks, on a monthly basis to exchange stories, pose problems, vent, celebrate, moan or groan -- whatever is up professionally with you. All fields of practice, all levels of experience welcome.

If you are interested please send her an email at lucymoore@nets.com saying which day of the week is best for you and where you will likely be coming from so she can hopefully pick a convenient spot. If there is a critical mass, she will convene the first gathering and the group can take it from there.

Lucy Moore

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