



ADVANCED MEDIATION TRAINING COURSE PROGRAMME

<u>TOPICS</u>	<u>FROM</u>	<u>TO</u>
<p><u>Day 1:</u></p> <ul style="list-style-type: none"> ▪ Introductions –participants ▪ Introductions – Trainers ▪ Course Outline Preview <p><u>THE MEDIATION PROCESS</u></p> <p>Beginning the Mediation: Pre-convening</p> <ul style="list-style-type: none"> <input type="checkbox"/> Entry stage –Establishing credibility <p>Overview of the mediation process</p> <ul style="list-style-type: none"> <input type="checkbox"/> Role of a mediator and ethical consideration <ul style="list-style-type: none"> ○ Pre mediation process-establishing mediator credibility <input type="checkbox"/> Logistics- scheduling, contact info, locations, setting the room, fee agreements etc. <input type="checkbox"/> initiating a mediation process <input type="checkbox"/> preparation of briefings and The opening statement <input type="checkbox"/> Identifying issues <input type="checkbox"/> Structuring the discussion of issues <input type="checkbox"/> Separate meeting with parties <input type="checkbox"/> Moving parties to settlement <input type="checkbox"/> Closure <p>Ending Mediation</p> <ul style="list-style-type: none"> <input type="checkbox"/> Crafting agreements <input type="checkbox"/> When there is no agreement <input type="checkbox"/> Negotiating next steps with the participants <p>Role Plays and Debrief</p> <ul style="list-style-type: none"> ✓ <u>Skill Drill: Techniques for managing a joint session.</u> ✓ <u>Skills Drill: Caucusing techniques</u> ✓ <u>Skills Drill: Techniques for managing impasse</u> <ul style="list-style-type: none"> ▪ Key Mediation Techniques. 	<p><u>8.30 AM</u></p>	<p><u>4.00 PM</u></p>

<p>Day 2 (Revision) Integrating Concepts and Methods</p> <ul style="list-style-type: none"> ▪ Video: Copyright dispute. ▪ Overcoming obstacles in mediation ▪ Basic psychology in mediation. ▪ Interactive listening techniques ▪ Mediators super techniques ▪ Most common Mistakes and temptations for mediators ▪ Benefits of mediation ▪ Mediation advocacy ▪ Court Annexed mediation. <p>Role plays and Debrief</p>	<p><u>8.00 AM</u></p>	<p><u>4.00 PM</u></p>
<p style="text-align: center;"><u>Day 3:ADVANCED -</u></p> <ul style="list-style-type: none"> • Pre-mediation <ul style="list-style-type: none"> ○ Disagreements over <ul style="list-style-type: none"> ▪ exchange of information ▪ structure of the process ○ Parties <ul style="list-style-type: none"> ▪ A party changes a prior offer * ▪ Absence of a decision maker ▪ Disputes over who will attend ○ Multiple parties <ul style="list-style-type: none"> ▪ Organization and structure ▪ Co mediation ▪ Using a lawyer or party as a sub-mediator ○ Communications with lawyers and/or parties * <ul style="list-style-type: none"> ▪ Before the day of the mediation ▪ At the start of the process, before a joint meeting • Opening session <ul style="list-style-type: none"> ○ Parties do not want to have a substantive opening session * ○ Moderating information exchanges ○ How to handle 	<p><u>8.30 AM</u></p>	<p><u>4.00 PM</u></p>

<p>anger/impoliteness/interruptions</p> <ul style="list-style-type: none"> • Early caucusing * <ul style="list-style-type: none"> ○ Developing rapport with the parties ○ “Insulting” first offers ○ Lack of information or documents ▪ Video demonstration ▪ Role-plays and debrief <p>Day 3 concluding remarks</p>		
<p><u>DAY 4 -</u></p> <ul style="list-style-type: none"> • Middle caucusing * <ul style="list-style-type: none"> ○ Managing interest based and money bargaining in parallel ○ Dealing with refusal to make a significant move ○ Dealing with feelings of loss and other emotional barriers ○ Overcoming cognitive forces • Later caucusing * <ul style="list-style-type: none"> ○ Evaluation during mediation ○ Responses to impasse ○ Sub-meetings of parties and lawyers ○ Mediating by telephone and email after/between sessions • Settlement * <ul style="list-style-type: none"> ○ Distrust over implementation of agreement ○ Lack of authority ○ Mediator’s role in drafting documents, monitoring and compliance ▪ Video demonstration ▪ Role-plays and debrief <p>Day 4 concluding remarks</p>	<u>8.30 AM</u>	<u>4.30P</u> <u>M</u>
<p><u>DAY 5</u></p> <ul style="list-style-type: none"> • Clients <ul style="list-style-type: none"> ○ Helping lawyers with clients ○ Difficult and unreasonable clients • Departures from usual practices 	<u>8.30 AM</u>	<u>4.00 PM</u>

<ul style="list-style-type: none"> ○ Controversial tactics ○ Manipulation by mediators ● Aggressive advocates ● Failure -Examples of what went wrong-how to avoid * ● Advocacy: <ul style="list-style-type: none"> ○ How lawyers seek to manipulate mediators ○ How mediators can respond ● Ethical issues: discussion of vignettes ● Legal framework of mediation: confidentiality and mediator liability – comparison of laws of different countries ● Video demonstration ● Role Plays with feedback ● Group Debriefing of Role-Plays ● Wrap-up, Evaluation & Certificate Presentation ● Adjourn 		
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DAILY TIMINGS - TEA BREAK 10.30 AM TO 11.00AM, LUNCH BREAK 1.00 PM TO 2.00PM, AFTERNOON TEA BREAK 3.15 PM - 3.25 PM

Those eligible to do this course **MUST** have done the Professional mediation course and **MUST** have been in **practice for at least one year.**

Times may be adjusted to meet the needs of the group. Early departures are **NOT** allowed; The course is **intensive and** requires full concentration.

To deliver a highly personalized experience, enrollment is limited to 25 participants. All participants must commit to attending all five days of the training. Due to the interactive nature of this program, participants must demonstrate proficiency in English, as the program is taught solely in English.

This course qualifies you to be admitted to ICMC as a **Chartered Mediator** .

For any clarification, please do not hesitate to contact **Mr. Mang’erere on telephone nos 0707124831 /0733854901/020 2227886** or visit our website below. Postal address P.O Box 42199-00100 Nairobi. Physical address: **Agip House 4th floor suites 417**

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