

**MENTORSHIP GUIDELINES FOR MTI INTERNATIONAL EAST AFRICA
PROFESSIONAL MEDIATION MENTEES .**

Experienced mediators who have completed specific requirements set out by MTI International East Africa may serve as mentors those who have graduated from the 50 hour mediation training program. Mentors contribute to the profession by coaching prospective professional mediators and by sharing their knowledge and expertise.

The mentorship process involves several case observations and co-mediations. During this process, the mentee observes the stages of the mediation process (including, for example, the introduction to mediation, information sharing, the identification of issues, the generation of options, the drafting of the agreement, and resolution or impasse) and conducts, with the assistance of the mentor, the mediation screening, orientation, caucus, and other parts of the mediation session. Briefings, prior to and after the mediation, afford the mentee an opportunity to discuss the nature and handling of the case, understand the use of special techniques, and assess his or her performance. The mentee must also conduct the final co-mediation, with support only as needed from the mentor, and complete a mediation Agreement.

Mentors are encouraged to provide pro bono mentoring services to mentees to support the further development of a diverse cadre of highly qualified professional mediators to serve the public.

Mentorship shall be conducted in a manner consistent with the mentorship guidelines herein and the Standards of Ethics for professional Mediators provided for in MTI International East Africa website.

A mediator shall not intentionally or knowingly misrepresent a material fact or circumstance in the course of mentoring others or in the course of applying or reapplying for mentorship status.

CERTIFICATION REQUIREMENTS

Prospective Mentors

A mediator must meet the following requirements for mentor status prior to serving as a mentor:

- (1) Certification as a professional mediator having completed a 50 hour professional mediation program for which he or she seeks to provide mentor services.
- (2) Completion of a minimum of ten (10) cases and thirty (30) hours of mediation
- (3) Participation in a minimum of a four (4)-hour certified course on Mentoring Individuals Seeking Certification as certified professional Mediators

Prospective Mentees

Prior to participating in the mentorship process (except for observations which may take place before or after the training courses), a prospective mentee must have:

-Completed a 50 hour professional mediation course and assessment as specified in the MTI International East Africa standards for certification.

ROLE AND RESPONSIBILITIES OF MENTORS

MTI International East Africa relies on the information provided by, and recommendations of, mentors in every Verification of Observation, Mentee Evaluation, and Mentee Portfolio form.

MTI International East Africa expects the mentor to:

- (1) Take the mentorship process seriously.
- (2) Have a thorough knowledge and understanding of the Standards of Ethics for professional Mediators. The mentor should discuss any ethical considerations raised during a co-mediation with the mentee.
- (3) Co-mediate no more than two cases with a mentee in the same day (if possible) in order to allow the mentee time to reflect on and learn from each co-mediation.
- (4) Inform the mentee that he or she must seek mentorship with more than one mentor in order to receive a variety of feedback and to experience more than one mediator style.

Mentorship Guidelines

- (5) Set detailed goals for the mentee focusing on specific skills and process development during the co-mediation.
- (6) Review the essence of the comments to be made on the Verification of Observation or the Mentee Evaluation form with the mentee.
- (7) Discuss the rating of each section in the Mentee Evaluation form with the mentee.
- (8) State his or her opinion in “ Overall Assessment of Mentee” on the Mentee Evaluation form as to the level of ability of the mentee.
- (9) Make a recommendation as to the mentee’s ability to mediate independently, if the case is the final co-mediation. If the mentor is unable to make a recommendation (because the mediation was too brief or for any other reason), the mentor can recommend additional co-mediations or training for the mentee.
- (10) Complete the appropriate mentorship forms thoroughly:
 - a. Verification of Observation form, if the mentee is participating as an observer;
 - b. Mentee Portfolio form, in collaboration with the mentee during the co-mediation briefing and post-mediation de-briefing, and;
 - c. Mentee Evaluation form, if the mentee is participating as a co-mediator.
- (11) Return the appropriate mentorship

Observation

(I) Pre-mediation Briefing:

Pre-mediation planning is undertaken to ensure that the mediation session proceeds smoothly. The mentor and mentee should discuss the nature of the case and the types of issues the case may present and confirm the time available for the post-mediation de-briefing.

Before beginning the mediation session, the mentor will:

- (1) Meet with the mentee 20 to 40 minutes to plan the mediation. Refer to (and modify as necessary) the “Mentor’s Pre-Mediation Checklist”

Mentorship Guidelines

- (2) Confirm that the mentee knows he or she is present as an observer only;
- (3) Discuss with the mentee the nature of the case and the types of issues the case may present, according to the information in the case file,(if available); and
- (4) Encourage the mentee to pay particular attention to the stages of the mediation and to take notes for discussion during the post-mediation de-briefing.
- (5) Confirm the Disputants' willingness to permit the mentee to watch the mediation.
- (6) Ensure that the mentee also signs the Agreement to Mediate form.

Post-mediation De-briefing:

N/B FORM COMPLETION: Mentors should not feel compelled to complete the Verification of Observation form in the presence of the mentee.

During the observation de-briefing, the mentor should:

- (1) Allow the mentee to discuss what he or she observed during the mediation. The mentor should use open-ended questions to encourage discussion.
- (2) Allow the mentee to comment on the mentor's performance and the mediation process itself.
- (3) Review the mediation, starting with the introduction.
- (4) Answer questions from the mentee regarding any part of the mediation process.
- (5) Review the settlement Agreement, if agreement was reached. The mentor should discuss style, wording, and format.
- (7) Discuss any comments to be included on the Verification of Observation form.

N/B FORM COMPLETION: The mentor should indicate how the mentee participated in the de-briefing on the Verification of Observation form. The form should be returned to the mentee within one week.

CO-MEDIATION

(I) Pre-mediation Briefing:

Pre-mediation planning is undertaken to ensure that the mediation session proceeds smoothly. The mentor and mentee should discuss the nature of the case and the types of issues the case may present; the mentee's specific skill development needs; each person's responsibility for specific mediation tasks; and confirm the time available for the post-mediation de-briefing.

Before beginning the mediation session, the mentor will:

- (1) Meet with the mentee 20 to 40 minutes to plan the co-mediation. Refer to (and modify as necessary) the "Mentor's Pre-Mediation Checklist"
- (2) Confirm that the mentee's training requirements necessary to mediate the current case have been met;
- (3) Review all of the portfolio pages (Sections I and/or II of the Mentee Portfolio form) from prior co-mediations;
- (4) Discuss specific skill and process development goals and complete Section I of the Mentee Portfolio form for the current co-mediation or
- (5) Update Section I of the Mentee Portfolio form for each co-mediation session as necessary.

NOTE: In the instance where the mentee is in the midst of a multiple session co-mediation and begins a new co-mediation, the mentee should provide the mentor with the Mentee Portfolio form(s) for any ongoing case. The mentor in an ongoing mediation should date and note on the Mentee Portfolio form recommendations for the mentee based upon observations up to the point where the mediation session ended. The mentor may continue to use the same Mentee Portfolio form to note final observations and recommendations when the mediation is finally concluded.

During Co-mediation

The mentor should regard the co-mediation as a session in which the mentee gains practical experience and observes a seasoned mediator manage the mediation process effectively. Allow the mentee to practice the opening, gather information, use open-ended questions, use the flip chart to identify issues, write the agreement, and/or conduct the portions of the mediation in which he or she needs experience.

Mentorship Guidelines

During the mediation, the mentor should:

- (1) Note things the mentee said or did that were effective, as well as areas in which the mentee can make improvement; and
- (2) Take a break, if necessary, to talk with the mentee privately about strategy, process, something the mentee may have said or done inappropriately during the mediation, or to encourage the mentee to be more involved in the mediation.

To assist the mentee in fulfilling mentorship requirements during the mentoring process, the mentor should ensure that:

- (1) The mentee is the “lead” mediator in what is anticipated to be the mentee’s last co-mediation;
- (2) The mentor should encourage the mentee to practice agreement writing even if the case did not result in agreement;

Post-mediation De-briefing

The mentor may find “Section II: Mentee Skills” on the Mentee Evaluation form useful as a discussion guide during the post-mediation de-briefing.

N/B FORM COMPLETION: The mentor and mentee should complete the Mentee Portfolio form collaboratively. Mentors should not feel compelled to complete the Mentee Evaluation form in the presence of the mentee.

During the co-mediation de-briefing, the mentor should:

- (1) Allow the mentee to explain how he or she felt the mediation progressed and how he or she performed in the role of mediator. The mentor should use open-ended questions to encourage discussion.
- (2) Allow the mentee to comment on the mentor’s performance and the mediation process itself.
- (3) Review the mediation, starting with the introduction, and provide feedback on the performance of the mentee.

NOTE: If an observer was present during the co-mediation, the mentor should excuse the observer before providing feedback to the mentee who participated as a co-mediator.

Mentorship Guidelines

- 4) Answer questions from the mentee regarding any part of the mediation process.
- 5) Proceed with the de-briefing in the event the co-mediation is terminated for any reason. (The mentor should discuss the circumstances of the termination, including any ethical considerations.)
- 6) Review the settlement Agreement written by the mentee, providing appropriate comments on style, wording, and format.
- 7) Summarize mentee performance, noting, in particular, strengths, as well as areas for improvement. (The mentor should provide balanced feedback, highlighting the strengths and weaknesses of the mentee. The mentor should not feel pressured to provide only positive evaluations.)
- 8) Discuss and complete Sections II and III of the Mentee Portfolio form. (The mentor and mentee should identify skill development priorities for the next co-mediation.)

N/B FORM COMPLETION: The mentor should complete Section II of the Mentee Portfolio form at the end of each session of a multiple session co-mediation. The mentor should complete Section III of the Mentee Portfolio form at the end of the final co-mediation session for the case.

9) Sign the Mentee Portfolio form at the end of the final session of the co-mediation and return to the mentee.

10) Complete the Mentee Evaluation form and return to mentee within one week of the completion of the case.

N/B FORM COMPLETION: The mentor should complete the Mentee Evaluation form thoroughly.

The Mentee Evaluation form is not required if the co-mediation is terminated and has not progressed through sufficient stages of the mediation process to constitute a complete case;

When completing “Section III: Overall Assessment of Mentee” on the Mentee Evaluation form, the mentor should address these essential questions regarding the mentee’s performance:

Mentorship Guidelines

- Does the mentee have a good feel for the mediation process?
- Has the mentee learned basic mediation skills?
- What mediation skills does the mentee currently lack that should be addressed in subsequent co-mediations or training?

If the rating “1 – Unacceptable” or “2 – Needs Improvement” has been circled for any skill area in Section II on the Mentee Evaluation form, the mentor must provide a detailed discussion of the specific area(s) in which the mentee needs improvement.

SUGGESTIONS FOR PROVIDING FEEDBACK

The mentor should provide constructive feedback to the mentee. A thorough discussion should take place during the post-mediation de-briefing, one that ensures that the mentee will not be surprised when reading his or her evaluation at a later point. The Mentee Evaluation form should not only mirror the discussion during the post-mediation de-briefing, but also demonstrate that the mentor has reflected on the mentee’s performance. The mentor should:

- (1) Phrase comments in a constructive (i.e., positive, frank, and thorough) manner, beginning with positive feedback on things the mentee did well;
- (2) Use specific statements or events during the mediation for illustration purposes;
- (3) Adjust the critique to the background and experience of the mentee;
- (4) Organize comments for the mentee into the major stages of the mediation in order to avoid presenting suggestions in a random manner;
- (5) Make suggestions concrete and specific, and give more than one alternative, if possible;
- (6) Use the mentor’s own experience to illustrate what not to do; and
- (7) Summarize the major points, and reinforce what the mentee did especially well.

ROLE AND RESPONSIBILITIES OF MENTEES

1. Expectations of Mentees

Mentorship Guidelines

MTI International East Africa relies on the mentorship process in determining if mentees are ready to offer quality service to the public to ensure the sanctity of the mediation process. The information and recommendations of the mentor, as reflected in the completed Verification of Observation, Mentee Evaluation, and Mentee Portfolio forms, are critical to this determination. The mentee should view the mentorship process as the opportunity to observe mediation skills in use by the mentor, to practice and/or hone the mediation skills required for that co-mediation, and to demonstrate the skills learned during training. Typically, mentees should plan to take the lead in more stages of the mediation as additional cases are co-mediated and skill level increases.

MTI International East Africa expects the mentee to:

- (1) Respect and value the insights and guidance of the mentors.
- (2) Dress appropriately for the type of case and venue. Business dress is usually most appropriate for court annexed mediation cases whether conducted in court or in an office location.
- (3) Participate fully and work cooperatively with the mentor to make sure each step of the mentoring process occurs, including the 20 to 40 minute pre- and post-mediation sessions.
- (4) Complete the required number of observations and co-mediation cases needed to fulfill the requirements for completing mentorship. These requirements include:
 - (a) Completing the appropriate number and type of cases required for mentorship (I.E 3 Mediations)
 - (b) Drafting a settlement agreement for at least one of the co-mediations; and
- (5) Work with at least two mentors during the course of the mentorship to enhance the opportunity to learn from mediators with different styles and to be coached and mentored by mediators who will see different strengths and weaknesses. Mentees may seek a waiver of this requirement where circumstances beyond their control preclude the ability to work with two mentors. Mentees should contact MTI International East Africa secretariat for assistance, if needed, in finding mentorship opportunities.

Mentorship Guidelines

(6) Ensure that reflection and learning takes place between mentorship experiences. The cases that mentees work on during the mentorship are likely to require weeks or months to complete. Therefore, mentees should not observe or co-mediate more than two cases per week during their mentorship.

NOTE: Mentees should recognize that the availability of cases, as well as no-shows/cancellations, might affect the scheduling for observation or co-mediation purposes.

(7) Understand that the mentor may recommend additional casework beyond the minimum required number of cases during mentorship.

(8) Complete “Section IV: Mentee Feedback” of the Mentee Evaluation when the form is received from the mentor.

(9) Keep all of the completed Verification of Observation, Mentee Evaluation, and Mentee Portfolio forms received from mentors. All of the forms must be submitted (regardless of the nature of the feedback) to MTI International East Africa, as well as a copy of an agreement. The mentee should retain a copy of all forms.

OBSERVATION

(I) Pre-mediation Briefing:

Before the mediation begins, the mentee should:

- (1) Meet with the mentor 20 to 40 minutes to discuss the details of the current case;
- (2) Provide the mentor with a blank copy of the Verification of Observation form;
- (3) Confirm the mentor’s availability for the post-mediation de-briefing (immediately following the last mediation session or shortly thereafter).

(II) Post-mediation De-briefing:

MTI International East Africa expects the mentee to participate fully in the post-mediation de-briefing.

During the de-briefing, the mentee should:

- (1) Discuss what he or she observed during the mediation.
- (2) Comment, constructively, on the mentor’s performance and the mediation process itself.

Mentorship Guidelines

(3) Review the settlement Agreement, if agreement was reached.

(5) Retain a copy of the Verification of Observation form for personal file

(I) Pre-mediation Briefing:

MTI International East Africa expects the mentee, in collaboration with the mentor, to identify, before each mediation, areas of focus and goals to be achieved in the current mediation, any discussions or de-briefings from prior mediations as described in earlier Mentee Portfolio forms, and any concerns or issues.

Before the mediation begins, the mentee should:

(1) Meet with the mentor 20 to 40 minutes to discuss the details of the current case. Refer to the “Mentee’s Pre-Mediation Checklist”;

(2) Confirm with the mentor that the training requirements necessary to mediate the current case have been met;

(3) Confirm the mentor’s availability for the post-mediation de-briefing (immediately following the mediation session or shortly thereafter).

(4) Inform the mentor if the Mentee Evaluation form is needed in less than one week;

(5) Provide the mentor with blank copies of the Mentee Portfolio and Mentee Evaluation (as appropriate) forms to be completed;

(6) Provide the mentor with a copy of each completed Mentee Portfolio form (or incomplete Mentee Portfolio form(s) for an ongoing multiple session co-mediation); and

(7) Complete “Section I: Skill Development Goals” of the Mentee Portfolio form in collaboration with the mentor prior to the mediation.

NOTE:

If the mentee does not provide the current mentor with the Mentee Portfolio form(s) from completed co-mediations (or incomplete Mentee Portfolio form(s) for an ongoing multiple session co-mediation), the mentee may participate in the co-mediation as an observer only.

Mentorship Guidelines

During Co-mediation:

MTI International East Africa expects the mentee to strive to perform the mediator roles and responsibilities agreed to during the pre-mediation discussions.

During the co-mediation, the mentee should:

- (1) Follow the lead of the mentor who may need to take a more active role based on circumstances encountered during the mediation;
- (2) Conduct as many portions of the mediation as possible and practice the use of special techniques as appropriate during the mediation;
- (3) Serve as the writer of at least one settlement Agreement;
- (4) Take note of learning opportunities that occurred in the mediation for later discussion with the mentor.

III) Post-mediation De-briefing:

MTI International East Africa expects the mentee to participate fully in the post-mediation de-briefing.

During the de-briefing, the mentee should:

- (1) Discuss the evolution of the case with the mentor and the completion of specific mediation tasks assigned;
- (2) discuss his or her progress towards achieving previously identified skill development goals;
- (3) Review the settlement Agreement;
- (4) Work with the mentor to identify skill development goals for the next co-mediation case (or session) as the mentor completes Sections II and III of the Mentee Portfolio; and
- (5) Complete “Section IV: Mentee Feedback” of the Mentee Evaluation when the form is received from the mentor. NOTE: The mentee is not obligated to share this section with the mentor.
- (7) Retain a copy of the completed Mentee Portfolio and Mentee Evaluation forms for personal file

SUGGESTIONS FOR RECEIVING FEEDBACK

Reflective practice is an important attribute of good mediators. The mentorship process provides a safe learning environment where skills can be assessed and enhanced, and best practices shared. To maximize the learning opportunities inherent in the mentorship, the mentee should:

- (1) Be receptive to constructive feedback;
- (2) Be willing to ask questions; and
- (3) Reflect on the case at hand and on previous cases.

PRE-MEDIATION CHECKLISTS

The mentor and mentee should discuss methods for interaction during mediation. Topics for discussion may include the following:

1. Mentor's Pre-Mediation Checklist

The mentor should determine who would assume responsibility for the following tasks;

- Introduce party and mediator(s)
- Explain mediation
- Review agreement to mediate form
- Conduct screening
- Determine if case is appropriate for mediation
- Ground rules
- Lead story telling and issue identification
- Lead problem solving
- Lead agreement writing

The mentor should discuss the following:

- Unique ground rules or practices
- transitioning from one person to the other and changing strategies during the mediation
- Method for addressing concerns by either mentor or mentee without causing undue disruption
- Procedure to be used to call a caucus
- How responsibilities will be shared during the session so that both mediators obtain “voice legitimacy”

Mentorship Guidelines

- ___ How to achieve balanced involvement in the mediation
- ___ How to work in the same direction and keep each other on track
- ___ Differences in style or approach

The mentor should confirm the mentee's availability to remain after the session to de-brief for 20 to 40 minutes. Where the de-briefing does not take place immediately following the mediation, it should be rescheduled as soon as possible within one week .

MENTEE'S PRE-MEDIATION CHECKLIST

The mentee should:

- ___ Arrive at least one hour before the mediation is scheduled to occur
- ___ Provide the mentor with a blank copy of each form to be completed
- ___ Provide the mentor with a copy of each completed Mentor Portfolio form prior to the mediation and discuss expectations for the current mediation
- ___ Complete "Section I: Skill Development Goals" of the Mentee Portfolio form in collaboration with the mentor prior to the mediation
- ___ Inform the mentor if the Mentee Evaluation form is needed in less than one week.

Before the mediation, the mentee and mentor should discuss:

- ___ The areas in which the mentee wants experience and feedback
- ___ The nature of the case and types of issues the case may deal with, according to information in the case file
- ___ The portions of the mediation for which each will take responsibility
- ___ Any unique ground rules or practices
- ___ Transitioning from one person to the other and changing strategies during the mediation
- ___ Methods for addressing concerns by either mentor or mentee without causing undue disruption
- ___ The procedure to be used to call a caucus
- ___ How responsibilities will be shared during the first session so that both mediators obtain "voice legitimacy" early in the first session
- ___ How the mentee and mentor will achieve balanced involvement in the mediation
- ___ A strategy for how to work in the same direction and keep each other on track

Mentorship Guidelines

___ Differences in style and approach

___ Whether the mentee needs to serve as a drafter of the mediated agreement if agreement is reached.

INSTRUCTIONS FOR COMPLETING THE VERIFICATION OF OBSERVATION FORM.

I. INSTRUCTIONS FOR MENTEES

An observation form must be completed for each observation.

II. INSTRUCTIONS FOR MENTORS

Complete Sections I and II of the Verification of Observation form. Describe how the mentee participated in the de-briefing at the conclusion of the mediation. Provide additional comments as necessary.

VERIFICATION OF OBSERVATION FORM

(To be completed by mentor and returned to mentee within one week following case completion.)

Please type or print.

SECTION I. BACKGROUND INFORMATION

1. Name of mentee: _____

2. Name of mentor: _____

(Are you currently certified as a mentor? ___ Yes ___ No)

3. Certification Number: _____

SECTION II. OBSERVATION INFORMATION

1. Date(s) of Observation: _____

2. Nature of Case: _____

Mentorship Guidelines

3. Length of Mediation: _____

4. Describe the mentee's participation in the de-briefing session. _____

5. Additional comments: _____

Signature of Mentor Mediator

Date



**INSTRUCTIONS FOR COMPLETING THE MENTEE
EVALUATION FORM**

I. INSTRUCTIONS FOR MENTEES

- (1) Save and submit all evaluations (regardless of the nature of the feedback). An evaluation form must be completed for each co-mediation that will be counted for mentorship purposes.
- (2) Complete “Section IV: Mentee Feedback” of the Mentee Evaluation form upon receipt from the mentor. The mentee should reflect on the case and the mentoring experience: Was the pre- and post- mediation de-briefing helpful? Does your self-evaluation differ from the mentor’s assessment of your mediation skills?
- (3) The mentee can choose to share “Section IV: Mentee Feedback” with the mentor but is not obligated to do so.
- (4) An evaluation form should not be completed if the case is not a complete case. A complete case consists of one or more mediation sessions that included enough stages of the mediation process to allow the mentee to demonstrate competence in mediation skills.

INSTRUCTIONS FOR MENTORS

- (1) Complete the Mentee Evaluation form and return it to the mentee within ten days from the date of the last co-mediation session for the case.
- 2) Describe the case in Section I of the Mentee Evaluation form, noting both the nature of the case and the major issues involved. Additional information should be included if the case was complex or difficult.
- 3) Rate the mentee’s skills in Section II of the Mentee Evaluation form using the rating scale. A rating of “1 - Unacceptable” or “2 - Needs Improvement” requires further explanation in Section III of the form.
- 4) Provide an overall assessment of the mentee’s performance in Section III of the Mentee Evaluation form. The mentor should consider the mentee’s acquisition of basic mediation skills to date: Does the mentee understand the mediation process? Does the mentee need additional co-mediations or training?

Mentorship Guidelines

Is the mentee prepared to mediate independently?

(5) Suggest verbally (during the post-mediation de-briefing) and in writing (on the form) that the mentee take additional co-mediations or training, if necessary, to improve mediator skill level.

(6) Provide additional feedback upon request

MENTEE EVALUATION FORM

(To be completed by mentor and returned to mentee within ten days following case completion.)

Section I. Mentee & Case Information (please type or print)

Mentee Mediator: _____

Mentor Mediator: _____ Certification Number:

(Are you currently certified as a mentor? ____ Yes ____ No)

Co-Mediation Case # (Circle) 1 2 3 4 5 6 7 8

Case Type: _____

Date(s) of Mediation: _____

Length of mediation: _____

Please describe the nature of the case and major issues involved. Note the challenges/problems the case presented.

Section II: Mentee Skills

Circle the appropriate number for each item using the following rating scale:

NA – Not Applicable

3 – Satisfactory (Performed Adequately for Current Co-mediation)

1 – Unacceptable 4 – Highly Competent (Took Lead and Exceeded Expectations for Current Co-mediation)

2 – Needs Improvement (Additional Development and/or Training Recommended)

5 – Excellent (Demonstrated a Professional Level of Mediator Skills)

Mentorship Guidelines

A. Personal Qualities

Appropriate dress and appearance.....	....	NA	1	2	3	4	5
Developed rapport and trust, and conveyed a positive outlook.....		NA	1	2	3	4	5
Appeared confident and in control of emotions.....	.	NA	1	2	3	4	5
Appeared sensitive to clients' physical and emotional comfort.....		NA	1	2	3	4	5

B. Introduction

Provided welcome and opening comments.....	...	NA	1	2	3	4	5
Explained mediation process.....		NA	1	2	3	4	5
Clarified role of participants.....		NA	1	2	3	4	5
Established ground rules.....		NA	1	2	3	4	5
Covered Agreement to Mediate form.....		NA	1	2	3	4	5

D. Issue Clarification

Asked appropriate questions.....		NA	1	2	3	4	5
Identified interests, intentions, differences, limitations, and underlying problems.....	.....	NA	1	2	3	4	5
Identified common ground.....		NA	1	2	3	4	5
Reframed statements and issues.....		NA	1	2	3	4	5
Demonstrated appropriate use of caucus.....		NA	1	2	3	4	
Demonstrated appropriate involvement of other parties.....		NA	1	2	3	4	

Mentorship Guidelines

Overcame impasse, resistance, or difficult behavior.....

NA 1 2 3 4

Dealt with power imbalance or control issues.....

NA 1 2 3 4

Handled intense emotions or difficult agendas.....

NA 1 2 3 4

Displayed flexibility and used creative strategies effectively.....

NA 1 2 3 4

Overall Assessment of Mentee

Mentors must complete Section III for all co-mediations. Attach additional sheets as necessary.

Please discuss skill areas in which the mentee showed strength or needed improvement. If the rating “1 - Unacceptable” or “2 - Needs Improvement” has been circled, the mentor must propose suggestions for mentee improvement.

The mentor’s assessment should address the following questions regarding the mentee: Does the mentee have a good feel for the process? Has the mentee learned basic mediation skills? What mediation skills does the mentee currently lack that should be addressed in subsequent co-mediations or training?

Based on this co-mediation, and in relation to the mentee’s present level of training and experience, has the mentee demonstrated competency in the mediation process?

Yes ___ No ___

If this mediation meets minimum co-mediation requirements, has the mentee demonstrated the appropriate level of skill to mediate independently? Yes ___
No ___ (additional training or experience required)

If “No” has been checked for either question, the mentor must comment below.

Signature of Mentor Mediator _____ Date _____

Mentee Feedback

To be completed by mentee upon receipt of completed evaluation form. The mentee is encouraged to share these comments with the mentor but is not obligated to do so. MTI International East Africa may anonymously share feedback with mentors, and may also use feedback anonymously to train mentors.

Mentorship Guidelines

Attach additional sheets as necessary.

Mentor Name and Date of Mediation _____

Please address the following questions:

Did the mentor discuss expectations of mentees during the pre-mediation session?

Yes ___ No ___

Were you able to participate fully during the mediation? Yes ___ No ___

Were the pre- and post-mediation mentoring sessions helpful to you in understanding the case and your skill development needs? Yes ___ No ___

Did the mentor return the form within ten days? Yes ___ No ___ Additional Comments:

INSTRUCTIONS FOR COMPLETING THE MENTEE PORTFOLIO **FORM INSTRUCTIONS FOR MENTEES**

1) Complete “Section I: Skill Development Goals” of the Mentee Portfolio with the assistance and input of the mentor.

INSTRUCTIONS FOR MENTORS

- 1) Indicate the number for the current co-mediation at the top of the document.
- 2) Review earlier Mentee Portfolio form(s) prior to beginning the pre-mediation discussion at the second and all subsequent co-mediations.
- 3) Discuss with the mentee his or her progress towards the skill development or goals previously identified and the nature of the current mediation case.
- 4) Identify goals for the mentee’s skill development during the current mediation case by listing specific skill or process development goals. “Learn to conduct a mediation,” “learn to mediate,” etc, are not sufficiently detailed goals.
- 5) Observe the mentee during the mediation session, noting specifically the areas previously identified.
- 6) Complete the Mentee Portfolio form, noting both the mentee’s self-identified goals and the mentor’s identified goals (if different). Include any recommendations for additional training (courses, readings, co-mediations, or other developmental activities).

Mentorship Guidelines

7) Sign and date the Mentee Portfolio form and give to the mentee before concluding the de-briefing.

8) If the case has multiple sessions, the Mentee Portfolio should be completed at the end of each session and reviewed prior to the beginning of the next session. The comments at the end of each session of a multi-session mediation should be initialed and dated by the mentor. A single Mentee Portfolio form can be used for a multi-session mediation.

MENTEE PORTFOLIO FORM

(To be completed by mentor and mentee at the end of each co-mediation session.)

Co-Mediation Case # (Circle) 1 2 3 4 5 6 7 8

Case Type: _____

Mentee Mediator: _____

Mentor Mediator: _____ Certification Number:

(Are you currently certified as a mentor? ____ Yes ____ No)

Date(s) of Mediation: _____

Section I: Skill Development Goals

Complete prior to mediation.

I. MENTOR & MENTEE: (Review previous co-mediation case portfolio pages.) The mentee and mentor identified the following goals for the mentee's skill development during the case.

Section II: Skill Development Progress

Complete after the co-mediation session.

II. MENTOR: Describe the mentee's progress toward the skill development goals identified in Section I.

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Complete after the co-mediation session or at the conclusion of the case.

II. MENTOR: Based on your post-mediation discussions with the mentee and your observations during the case, identify the skill development priorities you recommend for the mentee in subsequent mediations. Include any recommendations you may have for additional training, reading, or other developmental activity.

Signature of Mentor _____ Date _____

Signature of Mentee _____ Date _____

MENTORING TIPS, TECHNIQUES, AND BEST PRACTICES

Background:

This document reflects the experiences shared by many mentors and mentees.

Mentors should review Sections III and IV of the Mentorship Guidelines, which contain the expectations of mentors and mentees and suggestions for providing effective feedback during mentoring. This material supplements those sections and should be discussed as part of the training for mentors.

Before the mediation:

1. Discuss what the mentee wants to achieve in the upcoming mediation and any concerns and anxieties he or she may have.
2. Against the background of the mentee's experience to date, any developmental needs noted by prior mentors, and the discussions under item 1 above, plan with the mentee for your mutual expectations and your respective roles – e.g., how you will share or otherwise handle the introduction to mediation, the extent to which you will share “air time” during the mediation, how to deal with breaks, and how to deal with the particular skill development needs of the mentee. Revisit and reinforce basic learning points as needed (e.g., for the introduction, the trust-building overlay, different ways of approaching “ground rules”). Remind the mentee about the importance of body language and of the importance of listening for the “message behind the words.”

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3. Discuss your personal style or model of mediation with the mentee, and any particular practices you favor concerning “ground rules” and caucusing. This provides a touchstone for post-mediation debriefing on different approaches to issues that arose during the mediation. Mentees often are trying to make sense of different approaches or perspectives from several sources.
4. Assure the mentee understands that the parties’ needs are paramount and take precedence over the mediation as an educational endeavor for the mentee -- and that if you as mentor feel the need to step in, you will do so.
5. Discuss what you know about the upcoming case and any particular emotional, process, power, or substantive matters that might arise and ways in which these matters might be approached.
6. If you are joined by an observer rather than a co-mediating mentee, clarify expectations about how the observer will be introduced to the parties, where the observer will sit, and the observer’s non-participatory role. Give the observer assignments for later discussion: watching body language, questions about your actions and reactions during the mediation.
7. Share your practices around a suggested “toolbox” – copies of forms, “introduction-to-mediation” outline, tissues, calendar, notepaper and pens, etc.

During the mediation:

1. Follow your plan. Send a message of support (and responsibility) to the mentee by doing the things (and letting the mentee do the things) you discussed before the mediation.
2. As a general rule, do not identify your co-mediator as a mentee. This can have the effect of diminishing your mentee’s perceived role so substantially that it becomes virtually useless as a co-mediation learning experience.
3. Be continuously alert, but give the mentee room to work and to make some (harmless) errors. Your primary responsibility is to the parties, but you should be prepared to tolerate some less-than-artful actions of the mentee. There are few errors from which one cannot recover. You should note opportunities for improvement for later debriefing.

Mentorship Guidelines

4. Although you want to give the mentee room to learn from his or her own experiences, your modeling of mediation practices is a very effective learning tool as well. For example, you can demonstrate useful phrases used to clarify or offer an example of your style of reframing and affirm these later in debriefing.
5. If you must step in, try to do so unobtrusively if possible – e.g., if you believe you really need to redirect a line of discussion from something the mentee just asked, you might say “Just before we get to that, could we first clear up something that I still am a little unclear about” It is best that the parties not unnecessarily pick up “vibes” that something has gone wrong, as it can negatively affect their trust in the mediation -- and you want to avoid appearing to disrespect your co-mediator.
6. Once in a while, things may go so badly that you need to change directions substantially and immediately. Take a break (you do not necessarily have to disclose your real reason for the break to the parties). Then meet with the mentee, debrief specifically around why you took the action, and plan for recovery.
7. Ordinary breaks during the mediation may present “mini-debriefing” opportunities about prior activity; just keep in mind that a break may be too short to effectively deal with an issue or may over-emphasize a particular contemporary event. On the other hand, breaks can be used as opportunities to re-visit your mentoring plan and analyze options for proceeding after the break.
8. An important challenge for the mentor is timely note-taking about items to discuss during de-briefing – things that went particularly well, problems that arose and options for handling them, and things that might have been done differently. While you do not want to lose focus or divert attention by voluminous note-taking, it is important to develop your own way of making brief notes sufficient to later remind you and the mentee of the specifics of a learning event. It may be some time before you can return to an important event that occurred during only a few seconds in mediation. Sometimes, you may need to capture the exact words a mentee used to debrief effectively. Consider practicing the art of brief, marginal note-taking without looking down, and developing your own shorthand!

Debriefing and evaluation after the mediation session:

1. Take a short break after the mediation session and before the debriefing to refresh and refocus. The mentor can use this opportunity to organize his/her thoughts. Mark the transition psychologically by changing something – take your coat off, arrange the seats differently, etc. Reintroduce the purpose of the debriefing, your respective roles, and confirm you are in agreement about the time available. Often, mentor and mentee may need a little time to decompress from the mediation – which may provide an opportunity to move into specific elements of the debriefing. If the mentee appears at all apprehensive about the debriefing, acknowledge that evaluation is difficult but valuable experience for everyone, particularly in the mediation process, where as mediators we need to anticipate and welcome constructive feedback in one form or another throughout our professional lives.

2. A good general principle about feedback is to focus on the behavior, not the person. You want to make it easy for the mentee to hear you and to heed your input, and it helps to reduce the mentee’s personal defensiveness.

3. Generally, start with the mentee’s own experiences (and your own encouraging observations), building toward your constructive feedback. Illustrations: “Kamau, what in particular went well for you?” “I noted how well you handled that transition when” “I was impressed with how you responded to the question on confidentiality” Frequently, that encouragement makes it safe for a mentee to move forward. If not, you might ask: “Was there anything in particular that you felt uncomfortable with?” Often, the answer will reflect something you may have noted for feedback purposes yourself, and you can use the mentee’s own statements as an entry for your critique and developmental discussion.

4. Generally, the mentor should prioritize and carefully select learning points (or themes) for feedback – perhaps no more than three to five primary subjects of feedback per mediation session. A long and scattered list can dilute the importance of priority items and may not be remembered or learned as well by the mentee. Briefly outline your overall themes at the outset, so the mentee has a sense of context and limits.

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5. During feedback, the mentor should identify the action or behavior in question as specifically as possible, linked to context. This helps avoid ambiguity and confusion about what happened, and reduces the opportunity for defensiveness on the part of the mentee. You can then proceed more directly to productive discussions. To do this well, you must be able to frame events accurately, which underlies the importance of good, just-in-time note-taking.

6. Rather than (or before) challenging an action of the mentee per se, start by asking the mentee for clarification or perspective on the event. For example, assume a mentee interrupted the parties' exchange at one point, and you want to use this event to discuss when and how to intervene. You might try the following: "Do you remember when Juma was talking about [x] when we were discussing [y]? You responded just then by asking [z]."

I think it would be useful to discuss that interaction. What strategy did you have in mind at that moment?"

Or, if you had had to step in at some point to recover a mediation veering off because of a question or action of the mentee, you might say: "You probably remember when I stepped in at [x point]. What is your perspective on what was happening there?" Generally, mentees learn better by being integral to a developmental discussion where they help lead themselves to new perspectives, rather than merely being subjected to "mini-lectures."

7. Do not evade your responsibility to telling a truth just because it is difficult. As in mediation generally, it is how you say something, not whether. Mentors have a responsibility to mentees, to the public, and to mediation generally, to assure that difficult topics are dealt with and that mentees who have trouble "getting it" are well-directed toward the best path – whether that means further training or an evaluation that recommends additional practice. In these instances, it is particularly important to identify objective behaviors and context. Sometimes, setting up the seriousness of the subject is the psychological key – e.g., Ombati, I believe we need to debrief carefully around one exchange: the one where Nyaguthie said she didn't know what to do about [x] and you stepped in to give her some very specific options. As I believe you know, the aspect of self-determination is key, both legally and as a matter of the core values of mediation as we practice it here.

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There are ways you can help a person develop or obtain ideas and perspectives on options without giving advice.”

8. Use stories and humor. Adults learn well from (one or two brief) stories about mediation events that happened to you or others and illustrate things that went wrong or right. These stories connect you with the mentee on a human level and give you the opportunity to provide a memorable, even enjoyable lesson linked to a subject in the mentee’s just-completed experience. You can soften critiques with humor, particularly at your own expense as part of a story -- e.g., “I remember a case where I got so interested in a party’s story that I interrupted it, and I got just the kind of reaction you experienced today!”

9. If a subject is important enough to critique, it is important enough to critique with some detail. It is insufficient to merely say, “I want you to work on your reframing.”

In addition to using the specific contextualizing discussed above, give examples of alternative approaches, touch on underlying theory, ask the mentee to suggest how they might have done it differently, etc. –

parsing the issue from several different angles, if you can. You might suggest further reading or revisiting a basic training manual, or you might set up a mini-role play during the debriefing to test different ways of dealing with a subject, or suggest phrases you and other mediators use to clarify, reframe, and transition.

10. Use comparisons of actual and hypothetical options and comparisons of ideas on how to approach a specific interaction.

11. Make “lemonade out of lemons” by stating negatives as their obverse positives – e.g., instead of “You may be too passive” say “There are ways you can be more active.”

12. Avoid absolutes such as “always” and “never.” With rare exceptions there are few things in mediation that are not situational. Further, there probably are things you may do or avoid that other competent mediators engage quite differently.

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Thus, if you wish to state a stylistic choice you prefer, try to relate it to a broader theoretical basis so the mentee can reflect on a range of possible choices.

13. If a mentee appears frustrated or defensive, take time to discuss those feelings, clarify the debriefing process, and adapt the evaluation process to the results of the discussion.

14. Invite the mentee to ask questions about your performance. He or she may be afraid to question something the “master” did, but if a question arises, it deserves an answer and may start a discussion or be a valuable learning point for the mentee. If you made a mistake, it can be useful to acknowledge it and make the point that mediation is so complex that no one can ever do everything perfectly – and that if you mediate a thousand cases, you will learn something new on the thousand-and-first.

15. End the debriefing on a positive note. While mentors have a “gatekeeper” role, our basic stock-in-trade is guiding, coaching, and developing neophytes in the pursuit of excellence. Look for a closing opportunity to reinforce the mentee’s own sense of value, achievement, and opportunity for growth.

16. Touch on next steps. Finally, help the mentee be clear on the next steps and where to go for more information.

Documentation:

1. Target specific skill areas in collaboration with the mentee when completing the Mentee Portfolio form. “Section II: Mentee Skills” on the Mentee Evaluation form can be used as a concise way to focus the mentee’s efforts during the co-mediation and to determine the skill development goals that are in need of development. These skill areas can be a focal point for the co-mediation practice and for the written comments.

2. Assess the mentee openly. Written comments on the Mentee Portfolio and Mentee Evaluation forms should indicate whether or not the mentee’s performance is “on track,” given continuing opportunities to mediate, The mentor’s comments about the mentee’s current performance level should state, in a direct manner (without “waffling” or “equivocating”), if the mentee will need additional course work to handle matters well for the public.

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If the mentor cannot determine whether the mentee is on track (for example, due to the brevity of the co-mediation), the mentor should state this fact on the form.

3. Discuss your assessment with the mentee. The mentee should not be surprised by the mentor's written comments. The gist of the comments should have been shared during the de-briefing session.

4. Complete the form in a timely fashion. The mentor should complete the Mentee Evaluation form while the information regarding the case and the mentee's performance is still mentally fresh.

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