



Mediation or Facilitation: Choosing the Right Process

by Ann McBroom (based on an article written by Janice Fleisher for ACR)

Mediation as we practice it is a very clearly defined and structured process intended to surface interests and generate options in order to resolve an existing conflict. The process steps are pre-determined, and the parties are readily identifiable. The mediator is a neutral third party who helps those involved in a dispute reach a mutually acceptable solution.



Facilitation is distinctly different, with broader purposes and a wider range of process possibilities. Facilitation is the use of third parties to help groups accomplish their work, which may include resolving a conflict, but often includes other purposes as well. The facilitator provides process leadership and expertise.



The two disciplines have some commonalities and many differences. When we try to mediate an issue that should be facilitated, or vice versa, the results can be less than satisfying. In order to determine which approach to use, ask a couple of key questions:

Who's at the table? When there are multiple parties involved, mediation becomes much more complicated. Mediators will probably need to think about multiple sessions in order to provide enough

time to explore interests. Mediation is an appropriate choice if the parties who will be at the table are directly involved in the conflict and are representing their own interests. If, however, the parties at the table are there as representatives of larger constituent groups, the neutral may need to consider a process design that is somewhat different than traditional mediation in order to insure lines of communication between the people at the table and the people they represent. In addition, these processes are not likely to be confidential.

What work does the group have to do? If the group is gathering to resolve a specific, existing conflict, mediation may be appropriate. If the group has other work to do (planning for the future, visioning, etc), a facilitator can bring a broader range of tools to the meeting design. While a mediator rarely has contact with the parties prior to a mediation, a facilitator ALWAYS meets or speaks with the convener, and very often with the parties, to determine what the group needs to accomplish and how best to approach the agenda. Facilitators often have contact with the parties between meetings to help further the progress of the group.

Facilitation differs from mediation in a number of ways. Facilitators are very involved in helping the parties clarify their goals, and they design meetings to serve those goals. The cornerstones of mediation – confidentiality, voluntary participation and self-determination – are often not present in

facilitation. Mediation strives for a written agreement that resolves a specific conflict. Facilitators may need to build consensus and use a range of process options to help determine the will of the group. Mediators focus on conflict resolution, facilitators focus on process design and implementation. When faced with a group in need of assistance, choosing the right approach is critical. *Learn more about multi-party disputes at the upcoming in-service, See page 3 for details.* The more tricks you have up your sleeve, the more effective you can be!

Ann McBroom has been a conflict resolution professional in Washington State since 1989. Ann incorporates a wide range of disciplines and modalities into her practice, and has served as a dialogue consultant for the Animating Democracy Initiative. She teaches a course on dialogue on highly divisive issues with the Public Conversations Project. Ann has focused her training, facilitating, mediating and consulting work in the public sector, specializing in work team and employment disputes. She is currently the assistant manager of the King County ADR Program, which specializes in resolving employment and labor disputes. Many of you will also remember Ann from her tenure here at BNMP as the first Manager from 1996 to 2000.

Comments from our Satisfied Customers

“The mediators were totally professional – our hats off to them.”

“The process was very well managed. Nice job.”

“I appreciate that Bellevue has this program.”

“I was afraid I would be too emotional and not listen as well if we met privately.”

“By using mediators as middle men communication went well.”



Volunteer News



Congratulations to the following volunteers as they mark their transitions in our program!

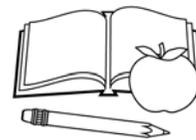
New conciliators in the office: Please welcome our new conciliators: **Henry Smilowicz, Gwen Jones, and Donna Stafford**

Adrienne Keith began the observation part of the practicum.

Michelle Mentzer transitioned into the co-mediation part of the practicum.



Rhonda Younker and Jack Mahler graduated from the practicum.



Would you prefer receiving *Update* as a PDF e-mailed to you each month? Would you like to save some trees? If so, please e-mail Andrew at akidde@bellevuewa.org, and he will put you on the list.

Idea from the Heartland: Can Mediators Help Fix the Home Mortgage Crisis?



Iowa Attorney General Tom Miller thinks so. He is drawing up plans to use the Iowa Mediation Service (a non-profit, state-wide mediation service) to mediate foreclosure disputes between homeowners and lenders. Both mortgage companies and homeowners have an incentive to avoid foreclosure, so in many cases they may be able to negotiate a way to rework the loan. Implementing this plan could prove to be complicated however, since home mortgages are often resold by the original home lenders to outside investors.

Parent—Teen Update

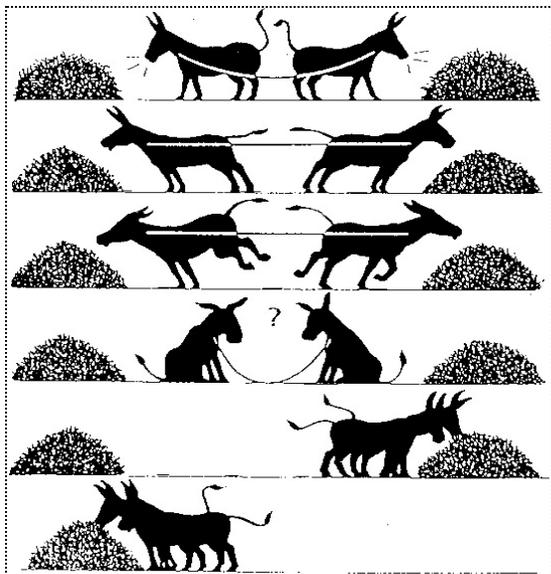
By
Cathy Goldman

We utilized the summer months to meet for mock mediations. These practice sessions enabled our “soon to be mediators” an opportunity to practice their skills. I received positive feedback from all the participants. Thanks to all who volunteered to be role-players.



I am excited to integrate our new group of mediators into our program. We have a rich and talented array of volunteer mediators who bring their strengths to the mediation room. I'm looking forward to an active, enriching year!

September 18th is our first in-service of the new school year. On September 26th we will invite the family members of our volunteers to an informative evening on mediation. Please plan to attend.



Training Opportunities For Mediators and Conciliators

BNMP In-Services / Trainings

Next In-Services:

Preserving Neighborhood Character: community tensions and city responses. Cheryl Kuhn, Neighborhood Outreach Mngr
Tuesday, October 2nd, 6:00 refreshments; 6:30 program
Room 1E-120 RSVP 452-4091

Multi-party Disputes—Ann McBroom
Tues, Nov. 6th, 6:00 PM refreshments, 6:30 program
Room 1E—120 RSVP 452-4091

Parent-Teen In-services:

The Nuts and Bolts of the Intake Process
Tuesday September 18th at 6:00 PM, Room 1E-120

Family Night for New Mediators.
Wednesday, September 26th at 7:00 PM, Room 1E-108

Book Group:

Next book: *Why are all the Black Kids Sitting Together in the Cafeteria?* by Beverly Daniel Tatum .
Wednesday, September 19 at 5:30, Room 1E-119.

Mediator / Conciliator Consultation Group:

Open to all volunteers
Wednesday, October 10th at 5:30 PM Room 1E-118

King County Dispute Resolution

Music and Conflict Resolution
September 17, 3:00—6:00

Conflict Resolution skills for the Workplace
October 10-11, 9:00—4:00 each day

For more info call Sue Ann Allen: 206-443-9603 (ext 106)

University of Washington School of Law

Mediation Training

For more information visit www.uwcle.org
October 5th-7th and 20-21

Program Staff:

Program Co-Manager:	Cheryl Cohen	-	452-5222
Program Co-Manager:	Andrew Kidde	-	452-5288
Parent-Teen Coordinator:	Cathy Goldman	-	452-4091
Peer Mediation Coordinator:	Laurie Slater	-	455-1625

City of Bellevue website: <http://www.bellevuewa.gov>
(Look for the Mediation Program under “Neighborhood Information”)

Volunteer Profile:

Henry Smilowicz



Henry was born in Western Pennsylvania, near Pittsburg. He began his career in New York City, then migrated west to Phoenix, before settling in Bellevue in 1984. Henry managed a forensic accounting practice until 2000 when he “retired” from full time work. These days Henry is an occasional consultant as well as teacher. Henry enjoys music, travel, fishing and fitness. He is single these days. Henry is fascinated by the BNMP’s approach to mediation, which is far more gentle and non-confrontational than the style of mediation he was familiar with in his work in the business world.



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