**Facing Mediation? Five Key Strategies**

**You Need to Know**

JoAnne Donner MS, CDFA, CDC, CDPC

Donner Mediation and Coaching LLC

Mediator/Mediation Coach/Divorce Coach

As a mediation coach, my mantra is “Mediation can be one of the most important days of your life. The decisions made that day can affect you and your family for the rest of your lives.”

I like to remind people of the importance and far-reaching effects of mediation because time after time disputing parties tell me that they went into mediation not knowing what to expect, they got overwhelmed during the session and had trouble making sound decisions, or they just got worn down and did whatever it took to get it over with.

A mediation session characterized by anxiety, confusion and disappointment can be avoided with the proper knowledge and proper preparation. Indeed, one secret to achieving success at the mediation table is to be prepared. Don’t fall into the all-too-familiar trap of walking into a mediation room woefully unaware of the ins and outs of the mediation process and the basic communication strategies you should employ during a conflict-related encounter.

Here are five points to keep in mind to help you deal with the pressures, pitfalls and possibilities of mediation:

1. Spend some quiet, high-quality time thinking about what you want and what you need.

Write your thoughts down on paper and read them aloud. This process helps you organize your thoughts, identify your priorities and set realistic expectations. Take a colored highlighter and identify your key points. Take this paper with you to mediation. If you are represented by legal counsel, give your attorney a copy. Many people have told me sharing this written presentation with their lawyer has helped clarify issues and has improved the attorney-client relationship.

1. Analyze strengths and weakness on both sides of the table. In other words, identify the strengths and weaknesses of the person on the other side of the table, but don’t forget to think about your own. What are your soft spots that might make you vulnerable during the negotiations?

1. Keep in mind that your reactions do not need to be your responses. It is very easy for emotions to get triggered during a mediation session. Monitoring and controlling your emotions can be a difficult, challenging task, but doing so can help you reach your goal – arriving at a successful outcome that gives you what you want and what you need.
2. Remember that it’s only a first offer. Many times a party to mediation will react strongly to a first offer. Reactions might include comments like “That’s outrageous. We’re never going to agree on anything,” or “That’s an insult. I’m out of here.” A first offer is a starting point and should elicit a thoughtful, strategic response rather than an emotional outburst that derails the potential of a mediation session.
3. Don’t say “Yes” when you should say “No.” Many people in mediation feel pressured to accept an agreement that really does not serve their best interests. Or they give in because they are tired and overwhelmed. If you are not confident that the offer being presented serves you well, don’t agree to it. Ask for a break or ask for the mediation to be continued another day. Give yourself time to think over the consequences of your decision.

The increasing popularity of mediation to resolve disputes is evident in settling divorce cases, civil matters, and workplace conflicts. One reason it is being used more and more frequently in a variety of settings is that it works; it is a cost-effective, time-efficient, and less stressful way to manage and resolve conflict. If you find yourself facing mediation, make it work for you: take the time to get the preparation you need to succeed and reach a favorable settlement. Your future can depend on it.

*The Road to Resolution…*

JoAnne Donner MS, CDFA, CDC, CDPC

Mediator/Mediation Coach/Divorce Coach

Donner Mediation and Coaching LLC

Divorce - Eldercare - Civil - Workplace - Family Conflict

770-842-9400; 770-399-0619 Fax

[jdonner@donner.com](mailto:jdonner@donner.com)

[www.mediationandcoachingllc.com](http://www.mediationandcoachingllc.com)