



Family Law Online Mediation Training 2022

** Video demonstrations, Role Play, and Interactive Learning Exercises will be included each day

Co-trainers: Susan Hansen, Casey Holtz, Paul Stenzel

Additional Presenters: Grant Zielinski, CDFA

Experienced mediator coaches will assist with role plays and interactive learning activities

Training commences at 8:30 AM each day; Registration 8:00-8:30 February 17th

DAY ONE – February 17th

Changing Culture of Family Law

WI family law mediation: statutes, new Supreme Court rule; additional SCR's

Overview of FMC/process and interdisciplinary approach

- Legal process; navigating negotiations and court requirements; drafting/filing
- Financial issues: gathering information; compilations and education; potential role of financial specialist mediator
- Child/family issues (minor or adult children; possibly family business): potential role of child/family specialist mediator; child inclusive mediation

Paradigm shift: interest-based process; distinguish from traditional negotiations; education vs. advice; neutrality vs. legal advocacy; neutrality vs. therapy; comparison of traditional practice and process vs. mediation

Importance of self-awareness; personal biases and practices; challenges of neutrality; personal reaction to conflict; mediator's presence and impact on the process

Essential qualities for family mediators

Key Mediation Skills and Techniques-define, demo, practice, discuss

DAY TWO – February 18th

Overview of mediation process with focus on importance of initial contacts; tools for engagement, assessment, process options, and goals;

Initial assessment and process design

Safety screening and domestic abuse assessment

Introduce family scenario; step-by-step process overview: demonstrate, discuss, practice each step with sample handouts and materials

Whole group and cross-over interdisciplinary

Pre-Retainer—includes videos, role plays and coaches:

- Initial phone call
- Initial mediator call(s)
- Initial education joint meeting/consult (sample agenda/retainer/handouts)

Discuss process, experiences, challenges, changes in current process/practice

DAY THREE – March 3rd

Recap steps in mediation process

Post-Retainer-includes videos, role plays and coaches

- Individual meetings (assessment; goals/interests); 1:1 domestic abuse assessment continued; process design options
- First mediation meeting

Video—sample mediation: identify/discuss skills and how to implement

- Subsequent mediation meetings; interdisciplinary roles; mediator communication options, styles, and tools (e.g., parenting handouts, child support formula, financial spreadsheets, tax and present value calculations); sample challenging issues; how to maintain a structured and effective process; step-by-step to help facilitate their agreement

Challenging legal, financial and family issues

Feeling stuck? Techniques and tools for roadblocks and impasse; practical input/sample questions

What Would You Do If?

Mediating sample issues: child support/expenses and parenting plans; how to frame the issues and use educational tools and skills to assist their negotiations and facilitate agreement

DAY FOUR – March 4th

Neutral mediation drafting--challenges, tools and techniques; necessary changes in practice to comply with ethical standards and meet needs of parties and courts

Final meeting and implementation

Ethical standards and challenges: personal ethics and professional codes; model guidelines; scenarios; cautions, pitfalls, and best practices

Different challenges/process design for court-referred mediation or mediation when one or both parties are represented or a GAL has been appointed; use of mediation skills in other family law processes, including collaborative or traditional negotiations; applicability and potential for mediation in other legal areas: e.g., CHIPS, elder law, guardianships, employment, prenups, cohabitation

Personal changes in perspectives and practice necessary to introduce and practice mediation ethically and successfully

Ongoing learning and next steps

BONUS ½ DAY – April 8th AM

Building Your Mediation Practice Effectively and Ethically **(I'm trained; how do I get mediation cases?)**

Personal and business presence

Ethical boundaries and essential changes in intake process, initial calls, and process discussions; importance of Joint Education Meeting; videos and role plays;

Tools and techniques for public education and marketing; importance of website, SEO, social media, and individual and networking outreach; what works (and what does not)

Court mediation options

Individual marketing plan