



## **Family Law Mediation Training Agenda: May 2-3, 16-17**

**The University Club of Milwaukee**

**924 E. Wells Street (free onsite parking)**

\*\* Demonstrations, Role Play and Interactive Learning Exercises will be included each day

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

Additional Presenter: Grant Zielinski, CDFP

Experienced mediators will assist with demonstrations and interactive learning activities

Training commences at 8:30 AM each day; Registration 8:00-8:30 May 2<sup>nd</sup>

Continental breakfast and lunch included each day

### **DAY ONE - May 2**

Changing Culture of Family Law

Overview of process steps / interdisciplinary roles – define family mediation; value of each profession; focus on mediation with self-represented parties

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

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

Essential qualities for family mediators

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

Video of sample mediation; identify and discuss skills

Homework: conflict handout



## **DAY TWO - May 3**

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

Safety screening and domestic abuse assessment

Process design options; 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

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

- Initial phone call
- Initial mediator call(s)
- Initial education joint meeting/consult (sample agenda/retainer/handouts)
- Individual meetings (assessment; goals/interests); 1:1 domestic abuse assessment continued; process design options
- First mediation meeting

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

Homework: read model standards



## **DAY THREE - May 16**

Recap steps in mediation process

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

Interests vs. positions: foundation and ongoing tools/language; eliciting interests and goals; addressing/reframing positions

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

Mediating sample issues: spousal maintenance and parenting plans; how to frame the issues and use educational tools and skills to assist their negotiations and facilitate agreement; practice techniques

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

Homework: read Impasse section



## **DAY FOUR - May 17**

Final meeting and implementation

Feeling stuck? Techniques and tools for roadblocks and impasse

Ethical standards and challenges: personal ethics and professional codes; model guidelines; scenarios; cautions, pitfalls, and how to practice ethically

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 from the first phone call through final agreement

Ongoing learning

Growing a mediation practice; developing and implementing an individual action plan

Wrap up and next steps