

# **THE STAGES OF MEDIATION**

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Mediation is a process and not an event. Many writers describe Mediation as having 5 to 10 stages.

1. Preliminary Considerations
  - a. Pre-mediation communication
    - i. In the age of Covid19
    - ii. Pre and Post Covid19
  - b. Attendees and timing
  - c. Information available
  - d. Agreement to Mediate
  - e. Ex parte communication
2. Starting the Mediation Session
  - a. Caucus First Mediation
  - b. Caucusing
  - c. "Joint Session" vs "Meet and Greet"
3. Identification of Issues
  - a. Goals
  - b. Interests

#### 4. Negotiation

- a. Positions
- b. Interests

#### 5. Closure

- a. Agreement-Enforcement-Follow up
- b. No agreement
  - i. Reset
  - ii. Go to next step

