

# **Learning Objectives for the Civil and Family Mediation Training**

*Note: the first two sections of these learning objectives apply to the civil portion of the course; the last section applies to the family portion.*

After completing this training, participants should be able to do the following:

## **Communication Skills -**

1. Identify and demonstrate the essential elements for effective listening and responding, questioning and gathering information, and note-taking.
2. Identify and demonstrate appropriate verbal and non-verbal communication.
3. Demonstrate awareness and understanding of how people process information, make decisions, and communicate.
4. Understand the difference between interests and positions.
5. Understand the role that individual conflict styles and personality types play in communication and conflict.
6. Understand and recognize the positive and negative roles of conflict in the workplace, in families, and in interpersonal relationships.
7. Recognize how communication and conflict can be influenced by one's socio-economic, racial, religious, ethnic, or social background, and gender, age, or disability status.

## **Mediation Skills -**

1. Understand the differences between and characteristics of mediation, negotiation, arbitration, and litigation.
2. Recognize and be able to explain the advantages of mediation compared to other forms of dispute resolution.
3. Be able to identify the qualities and characteristics of a good mediator as well as appropriate mediator behaviors.
4. Understand how, as a mediator, to build trust, empathy, and rapport with clients while remaining impartial and neutral.
5. Know the stages of mediation and the structure and appropriate content of each stage.
6. Understand how to draft an agreement.
7. Recognize the common obstacles to a successful mediation and how to overcome them.
8. Understand the ethical obligations of a mediator.
9. Recognize the role of confidentiality in mediation.
10. Understand when and how to use caucusing in a mediation.
11. Recognize how to overcome roadblocks and difficulties in a mediation, such as if a party walks out, if a party is overly emotional, if a party is inflexible, etc.
12. Understand the role of attorneys in the mediation process.
13. Understand and identify when and how to refer parties to outside resources.

14. Identify when a mediator should report information disclosed in a mediation to outside agencies.

**Family Mediation** *(these learning objectives apply only to participants who complete the family portion of the training)*

1. Identify and demonstrate the appropriate format for recording the mediation agreement
2. Understand how family cases are referred to mediation.
3. Identify the Missouri Supreme Court rules, regulations, and forms governing family mediation
4. Be able to identify the personal and family financial information that is necessary for divorce and custody mediations.
5. Understand the impact of divorce and conflict in the home on children.
6. Recognize the stages of children's development and the impact of those on custody/parenting agreements.
7. Identify situations in which participation of non-parties (e.g., grandparents, children, new spouses) may be necessary in the mediation.
8. Understand how emotions impact divorce issues and a person's ability to effectively mediate.
9. Understand the impact of domestic violence on a party's ability to mediation, as well as safety issues in involved in a mediation where domestic violence is known or suspected.
10. Recognize the potential ethical dilemmas a mediator may face in a family mediation.
11. Understand how to correctly draft an agreement in a family mediation case.