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Teaching and Learning Workshop for Coaches at Mediation Courses

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Aim

The aim of this workshop is to provide a framework for a short teaching and learning course for people who are coaches in dispute resolution courses, especially mediation courses. The models used in this paper are based on theories and practices used at the former CDR Associates in Boulder Colorado, and at Bond University in Queensland, Australia, for the past 30 years. These, of course, walk in the footsteps of various ancient and modern educational theories and practices. Similar models can be used at any course involving “skills” teaching and learning.

What is “Coaching?”

A working description of “coaching” is the repetitive performance of process and skills by a learner in the presence of an expert who gives immediate structured feedback about successes and possible changes.

Coaching is familiar in many sports including tennis, running, basketball, and football. It is obvious that despite the importance of theory, a practitioner is unemployable and dangerous until (s)he can repetitively “perform” at a basic level of competence as measured, not only by self-perception, but also by an expert “outsider”. Many people have read books about golf or mediation, but predictably cannot make a transition from head knowledge to competent “doing” in either.

Of course, incompetent coaching can lead to trainees developing bad habits, and disillusionment.

In mediation teaching/learning, a coach is also responsible to teach role players so that the experience of the mediator is realistically enhanced (eg “I want the role players to increase/ decrease your emotion”; or “increase or decrease your demands/interruptions”). In mediation coaching, the role players are also supposed to be learning by watching, feeling, and experiencing both helpful and unhelpful process and skills. Common comments from role players include: “I like watching the process”; “I learned a lot from realizing what clients must be feeling”.

Love-Hate Relationship with Role-Plays

The theories about cultural and individual “learning styles” provide one insight into why some people “like” or “resist” role playing. (See for example, D.A. Kolb, *Experiential Learning* (1984); *Learning Style Inventory* (1985)).

6 STYLES OF LEARNING

1. CONCRETE



2. ANALYTICAL



3. COMMUNICATIVE



4. AUTHORITATIVE



5. REFLECTIVE OBSERVATION



6. ACTIVE EXPERIMENTATION



Exercise A. Write out answers and then interview your neighbours.

1. What were the positive experiences you have had with coaching, whether giving or receiving? Why were they positive?

2. What were the negative experiences you have had with coaching either giving or receiving? Why were they negative?

3. In the light of your answers above, write out at least three “rules” which you would like to incorporate into your coaching.

The above exercise reflects Kolb’s insights into how most adults learn. We enjoy entering and moving around the circle of EXPERIENCE> REFLECTION>SYSTEMATISATION>PREPARATION>EXPERIENCE AGAIN. A teacher/coach can add a dash of insight at any of those 4 stages, from personal experience and from more systematic research.

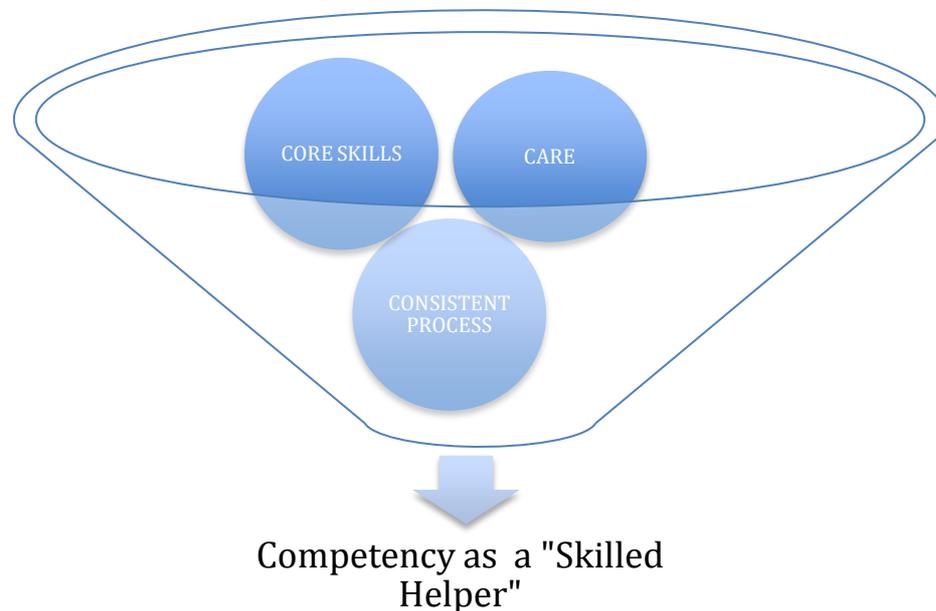
Essential steps to helpful coaching.

- * Know the model of mediation being used
- * “Choose” your assigned mediator
- * Logistics for coaches
- * Logistics for participants
- * Private corridor intake meetings
- * Contract with the coach
- * Coaches’ seating and note-taking
- * Interventions and feedback by a coach
- * End of role play

1. Know the model of mediation being used

As a “skilled helper” a mediator (counsellor, lawyer, negotiator etc) is using three standard competencies—

- a. Demonstrating empathy, care and respect for clients
- b. Using “core skills” such as listening, acknowledging, reframing, summarizing and questioning.
- c. Following a process model with some consistency



All mediation training, and all competent mediators, emphasise a and b above-- that is, care and core skills. However c, namely the “process model”, being taught/ learned differs with substantial overlaps from one course to another, and from one mediator to another.

Therefore it is essential for any coach to contact each training leader, or vice versa, and the other coaches, BEFORE a course and ask for a description of the favoured model in that particular course, plus basic reading, cue cards and a DVD of that model. Sometimes there is a clear difference between the process as preached, and as practised, so the formal documentation may be unhelpful. To begin coaching without adapting to the process model, is to invite confusion for the learners--“but that is not the process we were taught!”-- and inevitable negative formal feedback that the coaches were “inconsistent”.

2. “Choose” your assigned mediator

If possible, each coach should try to avoid certain conflicts of interest when being assigned to supervise any role play. For example, coaches usually prefer not to supervise their employer, or a relative, or a person with whom they have had a conflict in the past. They wisely do not want to introduce emotions or habits from the past which may influence the role play. Sometimes a teacher may quietly ask a particular coach to supervise a participant who is unduly nervous, or aggressive, or is very “senior” in some hierarchy.

Coaches often whisper supervision preferences to teachers and trainers. One helpful method has been for the coaches to talk with one another and then assign themselves on a whiteboard or flip chart to the next set of role players.

After each role play, each coach should quietly advise a teacher or trainer if any participant was experiencing more than normal “difficulty” with a role play—eg hostility; awkward humour; total confusion etc. This enables the teacher and coaches to devise some quick strategies before that participant becomes alienated, and before the next role play begins.

Where numbers of participants do not divide exactly by three, then coaches will be in the challenging role of being both a coach and a role player at the same time.

3. Logistics for coaches

At least 30 minutes before the next foreshadowed role play, coaches should work through a hurried checklist:

Do I have—

- a copy of the role play plus a set of the confidential facts? (usually stored in piles on the instructors’ desk)
- a pad of paper for notes
- a blank formal feedback sheet, usually stored in piles on the coaches’ desks. An example feedback sheet is attached at the end of this manual.
- the names of the mediator and the role players
- a spare marker pen for flip chart writing
- clear time frame available for the role play (usually one and a half hours)
- knowledge of which coaching corner or room has been assigned to my group
- my name written on the flipchart as coach next to the names in my group
- clear instructions from the leader on what are the goals of this particular role play (eg. concentrate on practising corridor intake; or reframing; or entering and exiting separate sessions; or writing questions on flip charts; or giving doubt creating advice etc). If these instructions are not clear, then a coach should ask the leader for a clear announcement on the particular goals of the forthcoming role play.

4. Logistics for participants

Mediator role players are often nervous and forget the multiple set-up tasks. A hovering coach can assist by checking that the mediator has—

- a pad of paper and a pen
- role play facts
- flip chart paper and tape
- dark coloured marking pen
- cue cards

and that the role players find their way to the role play venue!

The coach should introduce himself/herself and all parties to one another. Sometimes, coaches place signs in front of parties so that their role play names are easier to remember, especially if role playing across gender.

The coach can ask the nervous mediator, “How would you like to set up the seating?” Where a white board or flip chart is being used, it is important to have

this arranged behind the mediator so that the triangulated participants can see any visuals all of the time. Some lawyer mediators will resist using any visual aids, and the coach should make a quick ruling if visuals are part of the skills being taught.

5. Private corridor intake meetings

Sometimes mediators are asked, or request, to practise short intake interviews with each participant. If so, the coach should impose a strict time limit on the intake role plays, as these important sessions can easily drag on.

6. Contract with the coach

When the participants are seated all together, the coach should briefly enter into a “coaching contract” with the mediator. The contract can be imposed unilaterally, or with more negotiation. The unilateral version has many forms, including versions of the following—“I would like to talk for 2 minutes before you start. My understanding is that the goal of this role play is to follow the mediation process as designated on your cue cards, with particular emphasis this time on practising-----. We have one hour and 25 minutes. I will interrupt about every 20 minutes to give feedback; or more or less often if you request. My feedback will always begin by asking each of you questions. If you become lost, I will let you experience the pain of the wilderness for a while. Any questions? OK, are you ready to start?”—pause in silence ----“Please begin”.

It is important to be brief in these initial setting-up tasks, and to start the participants speaking rather than the coach!

7. Coaches’ seating and note-taking

Seating. Sometimes tables will be available, but more often only chairs.

Some participants will be uncomfortable with or without tables depending on professional backgrounds. If possible, the coach should sit—

- Outside the notional space and circle of the mediator and disputants. The coach is not “in” the dynamics of the dispute.
- On the edge of the mediator’s peripheral vision, but still able to observe the mediator’s facial expressions
- Not directly in front of the mediator’s line of vision
- Not behind the mediator

Note-taking. Coaches take notes with different degrees of detail. A few immediately use the formal feedback sheet (see example at the back of this manual at pp14-15). Most coaches fill in the formal feedback sheet in neat handwriting when the role play is over and meanwhile make short reminder and sometimes indecipherable notes. The goal of the notes is to enable accurate feedback on things going well, and on things that need work or change.

The writer has found that unless my notes are specific, my feedback becomes vague amidst the many events occurring in any 20 minutes of a role play.

8. “Interventions” and feedback by a coach

A coach makes a judgment when to pause the role play. This pause may be triggered by role players who are overacting; or the mediator losing the process steps for a while; or missing key responses to events during the role play; or the mediator pleading for a “cut”. At that time the coach should slide his/her chair “into” the edge of the triangle of role players in order to change roles from distant observer to participant a la a film director.

A common start to the break is to ask three standard questions, first to the mediator, then to the role players each in turn (in their roles, not as commentators)---

- *How are you feeling?
- *What is going well so far?
- * What would you like to change?

These three questions can also be very helpful in the long term career of any skilled helper when reflecting on work being done with clients. For many years the writer answered these questions into a dictaphone late at night when debriefing himself after mediations.

Sometimes it is worthwhile for the coach to reframe or ask for clarification of the answers to these three questions. It is often helpful and humbling to hear the answers to these questions from the role players who surprise everyone with what they are feeling; what is going well and not-so-well for them. Once everyone has heard how the participants are feeling, the coach has an opportunity to comment on or underline say two things that are going well, and say another two that need work. Some participants want comments from an authoritative coach, not from mere role players.

Apart from the three questions already mentioned, a coach can also ask other standard questions to the mediator such as—

- Where are you in the mediation process which you have learned? (“See your cue card”).
- Where would you like to be?

These questions allow the participants to engage in reflection and comment, which they will need to do for the rest of their lives as professional mediators. A coach will not be present. However, the coach is not off the hook. Someone often turns to the coach and asks—“How could I have responded differently to----“ (an interruption; a suggested early solution; silence; a request for a break etc).

If the coach has confidence in his/her skills, quick modelling is very helpful as a response to such “What could I do --?” questions. For example, “there is no one right response, but rather a battery of possibilities. Here are two examples of what I have tried----”. The coach then assumes the role of the mediator and gives two short examples in direct speech on how to address the problematic situation. Sometimes the coach’s answer is necessarily, “I don’t know as it has never happened to me! But off the top of my head, I might try---”.

Before recommencing, a coach may direct the role players to continue as before, or to modify their behaviours with less or more assertiveness/interruptions etc. This whole break should not continue for longer than 10 minutes.

When time is up, the coach should ask, “Are you ready to start again? At what step in the process would you like to start?”---pause--- “OK, please begin,” and once again symbolically slide his/her chair out of the action.

Note. When the mediator decides to separate the parties, it is worthwhile to instruct the exiting party to only slide his/her chair out of the triangle, and become a “notional” absence only. Thereby the “absent” party learns by watching the mediator work with the other party, and avoids getting into mischief or boredom in some lonely corridor.

9. End of the Role play

About ten minutes before the end of the allocated time for the role play, the coach should—

- Call “cut”.
- Go through the standard questions and procedures for any pause (see above).
- Thank all of the participants.
- If necessary, where role players have lied and acted aggressively in their roles, ask each to stand up, state that their role play and character has now terminated, and shake hands using their own names again. The emotional fallout of deceptive behaviour can poison relationships for much longer than the duration of a course.
- Foreshadow to the mediator that you will write up a few comments and give them to him/her in the next hour.
- Send the participants back to the main classroom, and quickly write up the formal feedback sheet (see example attached) in legible writing with say no more than two clear commendations; and say two areas to “work on” or practise.
- Be ready at the back of the main classroom in case the instructor asks each of the coaches to comment on - “One thing that is going well; and one thing that needs practise”. When making such a public comment, do not name your mediator. Rather say “my mediator did X well---; and needs to work more on shedding his professional skills as a cross-examiner, and rather use more open questions etc”. Do not make any public comment which has not already been discussed with the parties at the role play venue.
- After writing up the formal feedback, give it in folded (confidential) form to the mediator. It should not contain any surprises, rather just summarise part of the feedback which has already occurred during the role play. A few mediators place undue emphasis on every word in the written feedback!
- Try to limit the written feedback to say 2-3 things that went well, and 2-3 things that need work; otherwise it can become overwhelming for a learner (X plus one; not X plus fifteen)
- If the dynamics in the role play have gone badly (about 10% of role plays do?), then it is vital to talk to the instructor and other coaches immediately to brainstorm how to avoid repetition. A training course is like a mediation, and it

is important to highlight “problem” people and relationships quickly and work out a responsive strategy.

Coaching is intensive! All of the above steps are about to be repeated as the next role play is about to start in the next 20 minutes. Phew.

Exercise B

Read through the “steps” of coaching above again. Write any questions down; or add extra steps which you use.

Interview your neighbour about any questions; and any extra steps, and be prepared to share answers with the whole group.

Exercise C

As a group, watch the video of a mediation. At each break in the video, use the questions in the steps above in order to give feedback to the mediator. Then start the mediation role play again after each break as suggested in the above steps.

Common hurdles for coaches to address. Be prepared.

Exercise D

COMMON HURDLE	Possible Responses
<p>1. Overconfident mediators who have been in practice and positions of authority for years (eg lawyers and employers)</p>	
<p>2. Mediators who laugh too much during role plays; and role players who “joke around”</p>	
<p>3. Role players (especially some lawyers) who want “more facts” before starting any role play; who are paralysed by gaps in their stories; and “want instructions”.</p>	

- 4. Role players who are:
too aggressive; or too passive**
- 5. People who say - "I hate role plays"; "I do not learn
anything from role plays"**
- 6. Coaches who are not familiar with the model,
process and skills being taught**
- 7. Mediators and role players who say "This is not how
mediation is done in ----- (Jakarta, Melbourne,
Toronto etc)"**
- 8. Participants who "disappear" between the main
session and the role play venue**
- 9. Participants who become very distressed (perhaps
burst into tears) before, during or after a role play**

10. How to respond to a mediator or role player who is apparently 100% incompetent in process and skills?

11. Skilful participants who flatter the coach into giving more lectures; and thereby avoid the pressure of the role play

12. How often to interrupt? With what type of interruption?

13. Other?

14. Other?

What are the most common criticisms of coaches in formal participant feedback?

1. “Coaches give inconsistent comments.” “Coaches are inconsistent with the model being taught in the main course.”
Remedies?

2. “Some coaches talked too much.” “I needed that time to practise being a mediator.”
Remedies??

What are the most common words of praise for coaches in formal participant feedback?

“Warm; helpful; expert; encouraging; supportive; I felt overwhelmed but received clear feedback---”

Exercise E

If the above negative and positive feedback became a guide for your coaching, what particular patterns of behaviour would you attempt? (Remember Kolb’s model circle of adult learning—this time as a learning coach? Experience>Reflection> Systematisation>Preparation>Experience etc).

Evaluation Report on Mediation Simulation

Mediator _____

Simulation _____

Date _____

PROCESS SKILLS

	+	-
Introductory (welcome, seating)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Opening Statement (process explained, rules set)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Concerns and Issues (needs identified, issues summarised)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Agenda and Priorities (agreements summarised, issues prioritised)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Negotiations/Explorations (keep moving, options generated)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Private Meetings (appropriate timing, constructively used, confidentially maintained)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Reaching Agreement (persistence, encouragement)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Formal Settlement (clarity, comprehensiveness, accuracy)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Termination (good tone, future availability)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _

Comments on Process Skills

.....

.....

.....

COMMUNICATION SKILLS

	+	-
Listening (active, clarification, empathetic)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Questioning (appropriate, use of 'what ifs')	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Reframing (paraphrasing, summarising)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Non verbals (body language, eye contact, use of visuals)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Interventions (frequency, appropriateness)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Continuity/Flow (time management, adjournments)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Handling of Impasses (reality testing, referrals)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Comments on Communication Skills		
.....		
.....		
.....		

ATTITUDES/BEHAVIOUR

	+	-
Impartiality (even-handed, absence of bias, approachable)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Self-confidence (assertive)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Empathy (reassuring, empowering, inspired confidence)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Common Sense (practical, realistic, experienced)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Emotions (handled openly, honestly)	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Style (domineering, passive, advocate, 'mediational')	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _ _ _
Comments on Attitudes/Behaviour		
.....		
General Comments		
.....		
.....		

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DISPUTE RESOLUTION CENTRE

Coaches' Instructions

- Please watch instructors who are teaching by modelling.
- Feel free to wander around room.
- Leaders appreciate feedback during tea / lunch re things that are going well / things that might be done differently / participants who are disenchanted.

Simulations/Role Plays

- Read course program and be aware of TIMES of simulations.
- Begin to prepare practicalities ½ hour ahead of starting time.
- Items you need for simulations:
 - (a) evaluation sheet (attached example)
 - (b) felt pen
 - (c) pen
 - (d) copy of problem and various confidential sheets
 - (e) names of the participants
 - (f) exact location of room
 - (g) butcher's paper taped up to wall (or whiteboard and eraser)
 - (h) knowledge of what particular aspects of the mediation/negotiation process are being emphasised in this exercise (eg identifying and listing concerns, using whiteboard)
 - (i) **NB. Know Exactly the Timing** – when session should End; leave 10 minutes for debriefing; when everyone should be back in main room; whether to pick up tea/coffee on route.

Commencing Simulation

- Push parties to start "Are you familiar enough with facts to start?"
- Encourage mediator/negotiators to arrange his/her own seating.
- Don't sit behind mediator/negotiators; sit off to one side at some distance; slide to table when debriefing.
- Write comments on evaluation sheet. Write positive comments even on small matters.

Feedback

- (i) Optional – during various stages of the simulation, call out “cut”; ask mediator and negotiating parties: “How is it going?; Where are you in the process?; What is going well? What is difficult?”
- (ii) NB. You are modelling mediation and negotiation; if possible, let the mediator and negotiator or role players identify strengths and weaknesses. Reframe what you hear.

Start simulation again at stage of the process which mediator/negotiators want, eg “Let’s roll cameras again from where you are summarising Bill’s concerns. What steps will you go through after that?OK start from there”.

- (iii) Repeat debrief at end – namely stages (i) & (ii); Ask same two questions to actors – “What went well for you?” “What would you like to see done differently?”
 - * Questions/Comments
 - * Summarise in 60 seconds only two things that went well and two things that need practice (NB. Use of language).
- (iv) Do not overload parties with lists of comments. The role players will probably only ever remember 2-3 points. This has been an exhausting experience for him/her.
- (v) **Be encouraging**, eg “It’s very difficult learning a new process”; “I had to practise many times because....”. Criticism breeds inhibition.

Filling in Evaluation Sheet

- Return to room and in the next hour complete details on the evaluation sheet; ask a leader for any assistance.
- Approach mediator/negotiators quietly and give him/her the completed evaluation sheet. “These comments might be helpful”; “Feel free to talk about this over tea”, etc.
- Talk to leaders about any particularly devastated mediator or negotiator; resentment; anger.
- During debriefing with whole group of participants, if possible mention at least one positive thing which the mediator/negotiator did/achieved.

Thanks

**Simplified Gradations of “advice-giving” by Mediators/
Accountants/Lawyers/ and other Skilled Helpers (JW—Sept,11)**

Content	Method of Delivery
<p>A. “Remember your goals and risks, personal, business and legal, as YOU DISCLOSED earlier----?”</p>	<p>1. Questions * What if a judge/ your boss/ the facts--- * How do you balance/ calculate---?</p>
<p>B. These are the “statistical patterns”/ “normal”/ “common” goals and risks for people LIKE YOU</p>	<p>2. Think again and carefully * In my experience--- * You need to think about--- * You and your accountant/ spouse/ lawyer need to weigh up these differences of opinion/risks etc</p>
<p>C. “In my opinion, an accountant, doctor, judge would rarely----”.</p> <p>This is the range in which the rules operate----(on rare occasions, these words may slide into “legal advice”)</p>	<p>3. Strongly Directive *Do this--- *Don’t do that--- *You would be crazy to do----</p>

Exercise in Advice-Giving

Divide into pairs, and decide who is interviewer and who is interviewee.
(15 minutes each way).

1. Interview your undecided partner on a selected topic of whether to have children; or to quit a current job; or to convert all investments into cash; or to take up running; or abandon the use of cars; or------. Summarise and convert what you hear into a list of personal goals and risks (ie A above) and check with your partner that you have understood him/her correctly.
2. Confidentially choose a level of content and method from the above 6 categories (eg B3; or A1 etc), and give him/her advice.
3. Debrief—what level of content and method did the interviewee hear?
4. Reverse process on a new topic.