

Indiana Association of Mediators
6th Annual Midwest Mediation Conference
September 16-17, 2016

**Working the Room:
Shifting Chronic Conflict and Vexing Behaviors in Mediation**

Presented by Dr. Tammy Lenski

Note: Sessions will use short lectures, visuals, interactive exercises, analytical tools, and roleplays to engage multiple learning modalities.

September 16, 2016 (Day 1)

8:30 IAM Welcome and Introductions

9:00 **Module 1: De-Escalating High-Heat Encounters**

When emotions run hot in the mediation room, mediators' and attorneys' responses can make the difference between an encounter that escalates uncontrollably and one that leaves the parties calmly continuing the mediation. This session will address key factors that influence the way emotionally charged encounters unfold, and responses that both help and hinder cooling down. Participants will leave the session knowing:

- The warning signs that a person's anger is escalating.
- Ways that cultural differences influence the way anger is expressed.
- Common myths about anger and what research really tells us.
- Concrete de-escalation tools and approaches.
- The types of responses and reactions to avoid.
- How to stay centered and focused in the midst of high heat.

12:00 IAM Remarks and Lunch

1:00 **Module 2: Managing Frustrating Behaviors in the Mediation Room**

While mediators and attorneys are wise to be alert for behaviors that interfere with a mediation's progress, not all frustrating behaviors are a true problem. So how do we know which vexing behaviors require intervention, which ones don't, and the best way to proceed? This workshop will teach participants a simple framework for determining whether or not a behavior is getting in the way, for whom and why, and what to do about it. Participants will leave the session knowing:

- Root causes of common frustrating behaviors.

- The ways a mediator's or attorney's own relationship with conflict influences response.
- How over-management of behavior can have undesirable effects.
- What can be done before and during mediation to help parties bring their "best selves" to the table.
- Actionable tools and tactics for managing frustrating behaviors on the fly.

4:00 Adjourn

September 17, 2016 (Day 2)

8:30 IAM Welcome and Remarks

9:00 **Module 1: A Framework for Handling Chronic Conflict**

Chronic conflict is different than a dispute that needs resolving. And it needs to be handled differently. When people are in chronic conflict, a single dispute can get resolved, yet the conflict will continue – and the ongoing friction, strained relationship, or hostility will feed further disputes.

The morning session will address the elements of chronic conflict and introduce a framework for helping parties break the cycle of chronic conflict. Participants will learn:

- How to assess whether or not a conflict is chronic.
- How chronic conflict influences the goals and outcomes of mediation.
- Tools for dealing with chronic conflict in mediation.
- A 3-part framework for handling chronic conflict.

12:00 IAM Remarks and Lunch

1:00 **Module 2: Mediating Chronic Conflict**

The afternoon session continues the work of the morning session, giving participants practice employing the framework and examining special circumstances and cases. Participants will leave the session knowing:

- How to apply the framework in mediation.
- How the framework is used in cases where the parties are in ongoing personal or professional relationships (e.g., divorcing parents, co-workers, business partners, etc.).
- Ways to coach parties who are in chronic conflict to minimize the impact on their interactions.

4:00 Adjourn