FIRST DAY (SEPTEMBER 9)

08:30  Introductions; overview of the training and expectations
09:15  History of Alternative Dispute Resolution (ADR) in the United States, especially Texas
10:00  Break
10:15  Texas ADR Procedures Act (includes 1 hour of ethics: review of statutory requirements for mediator training, qualified immunity for mediators, mediator impartiality, duty to maintain confidentiality, limited exceptions to confidentiality)
11:30  Conflict resolution styles
12:00  Lunch
13:00  Kraybill Conflict Style Inventory/Working with different conflict styles
13:30  Negotiation Role Play 1: Ugli oranges
14:00  Break
14:15  Principled Negotiation: Getting to Yes
15:30  Break
15:45  Principled Negotiation: Getting Past No
16:45  Negotiation Role Play 2: Dispute between friends
17:30  End

SECOND DAY (SEPTEMBER 10)

08:30  Mediation goals
08:45  Mediation models (includes 15 minutes of ethics respecting mediator impartiality and possible effects of mediator evaluation of merits)
10:00  Break
10:15  Demonstration of mediation between two parties
11:30  The Texas Mediator Credentialing Association (TMCA) and the TMCA Ethical Standards (includes 15 minutes for general review of TMCA Standards of Practice and Code of Ethics, especially Standard 1 (Mediation Defined), Standard 2 (Mediator Conduct), Standard 8 (Confidentiality) and Standard 9 (Impartiality))
12:00  Lunch
13:00  Mediation intake and preparing for mediation; rules for mediation (includes 15 minutes of ethics regarding TMCA Standard 3 (Mediation Costs), Standard 4 (Disclosure of Possible Conflicts), Standard 5 (Mediator Qualifications), Standard 6 (the Mediation Process) and Standard 7 (Convening the Mediation))
14:00  Prepare and practice mediator introductions
14:15  Break
14:30  The parties’ opening statements (uninterrupted time)
15:00  The parties’ two-way exchange
15:15  Active listening, information gathering and trust building
15:45  Active listening and information-gathering exercise
SECOND DAY (SEPTEMBER 10, CONTINUED)

16:30  Types of questioning (includes 15 minutes of ethics on types of questions that can maintain or destroy appearance of mediator impartiality, referencing TMCA Standard 1 (Mediation Defined), Standard 2 (Mediator Conduct) and Standard 9 (Impartiality))
17:00  Questions exercise
17:30  End

THIRD DAY (SEPTEMBER 11)

08:30  Co-mediation
09:00  Mediation Role Play 1: Dispute between neighbors with noise and dog issues
10:00  Clarifying interests and issues while maintaining trust
10:15  Reframing interests and issues with neutral language (includes 15 minutes of ethics relating to reframing interests and issues while maintaining trust and appearance of impartiality, referencing TMCA Standard 1 (Mediation Defined), Standard 2 (Mediator Conduct) and Standard 9 (Impartiality))
10:30  Exercise: Reframing interests and issues with neutral language
11:30  Developing an issue statement and a negotiation agenda in mediation
12:00  Lunch
13:00  Mediation Role Play 2: Dispute between merchant and customer (the case of the tiny swan)
14:30  Break
14:45  Generating and evaluating options
15:15  Exercise: Brainstorming
15:45  Caucusing (includes 15 minutes of ethics relating to maintaining confidentiality of information parties reveal in caucus, referencing TMCA Standard 8 (Confidentiality) and Standard 10 (Disclosure and Exchange of Information))
16:15  Mediation Role Play 3: Dispute between police officer and citizen
17:30  End

FOURTH DAY (SEPTEMBER 17)

08:30  Impasse and breaking impasse
09:15  Mediation Role Play 4: Dispute between environmentalist and prolific catalog retailer
10:45  TMCA Standards regarding professional advice and writing agreements (1.25 hour of ethics regarding TMCA Standard 11 (Professional Advice), Standard 13 (Termination of Mediation Session) and Standard 14 (Agreements in Writing))
12:00  Lunch
13:00  Writing mediated settlement agreements; terminating the mediation
13:45  Mediation Role Play 5: Dispute between employer and former employee (sexual harassment charge)
15:15  Break
15:30  Mediation Role Play 6: Dispute between supervisor and supervisee (workplace bullying)
17:30  End
FIFTH DAY (SEPTEMBER 18)

08:30  Mediation Role Play 7: Dispute between landlord and tenant; practice writing mediated settlement agreement
10:15  Working with attorneys in mediation
10:45  Mediation Role Play 8: Dispute between business owner and disabled veteran regarding presence of service animal on business premises; practice caucusing and writing mediated settlement agreement
12:00  Lunch
13:00  Miscellaneous ethical issues (15 minutes of ethics, review of TMCA Standard 12 (Mediator’s Relationship with the Judiciary))
13:15  Mediation Role Play 9: Dispute between merchant and customer, both parties represented by attorneys; practice caucusing and writing mediated settlement agreement
15:15  Break
15:30  Mediation Role Play 10: Dispute between sellers and purchasers of home, both parties represented by attorneys; practice caucusing and writing mediated settlement agreement
17:00  Summary of key learning points and delivery of certificates
17:30  End