## ⊘ Worksheet : Preparing for mediation

You can print out this worksheet and fill it out to help you prepare for your mediation. Once you have filled it out, you can take this worksheet to the mediation and use it to help you remember important information.

Don't give the worksheet to the other parties or the mediator! These notes are just for you.

### 1. Learn about the mediation process

Talk to your mediation service. Read any material you are given.

Use this space to write down any notes about what will happen at mediation

### 2. What is your dispute about?

Use this space to write down what your dispute is about.

## 3. Think about the issues

What issues do you want to talk about? For each issue, write down why it is important.

| Issue | Why is it important |
|---|---|
|  |  |
|  |  |
|  |  |
|  |  |

Now, try and imagine what the other parties involved will think are the issues and why they are important.

| Other party's issue | Why they think it's important |
|---|---|
|  |  |
|  |  |
|  |  |
|  |  |

## 4. What do you want?

Use this space to write down what you want to happen.

Use this space to write down what you think the other parties might want. Think about what they have told you and anything written in any letters they have sent you.

## 5. Understand your legal rights

If your dispute involves legal issues, find out how the law affects your dispute. Use this space to write down notes about your legal position.

## 6. Think about the options for ending the dispute

Write down all the issues you put in answer to questions 7 and 8 in the table below. Don't forget to include the other party's issues.
Next to each one list all the options you can think for resolving that issue. Try and think of options that might be good for everyone. Talk to someone you trust about the options. They might come up with some new options for how to resolve the problem.

*EXAMPLE*
One issue might be the way the other party shouts at you whenever you talk about the dispute. Options for resolving this could be:
* *the parties agree not to shout when they talk to each other,*
* *the parties agree only to communicate by email, or*
* *the parties agree not to have any contact between them at all.*

| Issue | Options |
|---|---|
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

Review your options. Read through your list of options and for each one, think about these things:

Is this option possible? Can it be done?
*EXAMPLE: in a dispute between neighbours, it would not be realistic to ask for your neighbour to move out of their house.*

Is it possible the other party will agree to this? Does the other party want this too?
*EXAMPLE: you may want to be able to talk to the other party without there being shouting. The other party may want this too.*

Would it be possible to get what you want if you had to go to court?
*EXAMPLE: you may want the other party to apologise. You may only be able to get this from mediation.*

Now write out your list of options again, listing all those options that you would like to discuss at mediation and noting any comments about each option.

| Issue | Options | Comments |
|---|---|---|
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

## 7. Your emotions

Think about how your feelings may affect you in the mediation. Plan some strategies for how you can deal with becoming upset or frustrated during the mediation.

*EXAMPLE*
- Ask the mediator for a break
- Explain to the other side and the mediator what you are feeling
- Ask to have a support person at the mediation.

Strategies

## 8. Plan how to communicate

Spend some time thinking about how best to talk during the mediation. Speak calmly and positively.
*EXAMPLE*
Instead of saying: "You deliberately made me angry and frustrated".
You could say: "I have felt very angry and frustrated".

Strategies

## 9. Do you need to take someone with you?

Do you need:

☐ a person to speak for you

☐ a support person (who does not speak for you)

☐ a lawyer.

Speak to your mediation service about whether you can arrange this.

## 10. Interpreters

☐ Do you need an interpreter?

Speak to your mediation service about arranging this.

## 11. Documents and information

Prepare a list of the documents you are going to take with you. It is helpful to have the documents in date order, for example from earliest to most recent.