**Opening Statements for Online Mediation / Ground Rules**

XXXX and YYYY, many thanks for participating in this process. I wish to assure you that this process is confidential, and I will help to facilitate a constructive dialogue between you both with a view to reach a mutually satisfactory solution. I will not be judging, advising, or providing any solutions. If both of you are happy, we can continue with this joint session and may move on to private session later. It seems that there are two key issues here: (i) \_\_\_\_\_\_\_\_\_\_\_\_\_\_; and (ii) \_\_\_\_\_\_\_\_\_\_\_\_. Any other issues you think we need to address?

Hello. Welcome to mediation. I just want to clarify that I will be a facilitator to your conversations. I am not a judge; I am a neutral party. I am not deciding for you. I am here to help you communicate constructively to resolve the issue and hopefully reach an agreement with which you are both happy. I want this to be a safe place without hostility and this conversation is confidential. This is voluntary. I also need to know that you both have the authority to make decisions. Do either of you have any questions about the process before we begin?

Hi, my name is \_\_\_. I'm going to be your mediator in this case. Mediation is just negotiation with the assistance of a neutral (that's me). I’m here to help you negotiate with each other and to find a resolution by mutual agreement. I cannot make any decisions in your case. The purpose of mediation is to help you find common ground so you can reach an agreement if you so choose. Traditionally about 3/4s of all matters that go to mediation are settled

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Note that all of the communications in this mediation are confidential -- no one outside of the two of you and me will be able to see them, not even the judge. I ask that you keep what is discussed confidential as well. However, be aware that if I hear any threat of violence, or past or present abuse, I am required to report that, and I cannot keep it confidential.

Mediation is purely voluntary, though you are expected to participate in good faith. If you feel this process is not meeting your needs, you can tell me anytime. If we decide not to continue, the mediation will end, and your case will proceed to a hearing in front of the judge.

You have two tabs at the top of this page: one for the joint discussion between all of us, and one for a private caucus between just you and me. If we reach an agreement (either full or partial), I will generate a document summarizing it for you to review. If you do agree with it as written, you can e-sign it -- and if both sides e-sign, then it will be e-filed back into the court and shared with the judge. Please let me know if you have any questions or comments about what I shared. Let’s get started.

Hi, my name is \_\_\_\_\_\_\_ and I'd like to introduce myself as the Mediator. The 3 of us have an opportunity to increase the understanding of each of your experiences of what happened and then the two you will have

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I am glad you are both willing to participate in mediation regarding your dispute. However, mediation is a process wherein the parties resolve their dispute following negotiation. I will not decide your case, but rather act as your guide to resolution. You will both have an opportunity to present the details of your case. I usually start with the Complainant and then have the Respondent present their details. Charles, why don't you begin with the details you feel need to be considered?

Thank you for selecting mediation as an option to resolve your dispute. I look forward to working with both of you to help me help you come to a resolution to this situation that you both can live with. Would you be willing to provide me a summary of the situation as you see it and send it only directly to me?

In mediation, I'm here to help both of you negotiate a resolution. Both of you determine what is and is not acceptable. I am not deciding the outcome - you are.

Thank you for participating in this online mediation process. I serve as a neutral, so I am not advocating for either party. My role is to help you come to your own agreement that you each can accept and live up to. Is it correct, that Peter claims that he provided acceptable accounting services but was not paid by the employer? I understand that the employer is claiming that the work was not acceptable, so the employer does not want to pay. It is important to find possible options to resolve this dispute. I can offer some suggestions if you both agree.

Hi Peter and Charles, I will be mediating an online conversation between the two of you to determine what happened from both of your perspectives. I will then help you talk through a resolution that you can both agree to. I am a third-party neutral, which means that I am not advocating for either of you. I am here to help with the communication process. I may ask several questions to help clarify the situation for everyone. It is also important to note that I am not a judge and I will not judge in favor of one side or the other. We will try to resolve this together.

Thanks for participating in this mediation process, and I look forward to assisting you. Before we get too far into any details of your dispute, I´d like to introduce myself, explain how the process works, and we will begin moving forward in a collaborative and productive way.

Hi there, thank you for trying mediation to resolve this issue. I understand everyone is upset about what happened. What I would like to do is to focus on a solution-based conversation and try to get this resolved for you.

Good morning, I am your mediator, and I am here to assist you in your communication to come up with a resolution to this issue. I will serve as your neutral mediator and will assist you in figuring things out for a resolution.

Hello. Thanks for coming to mediation to help discuss and hopefully resolve this dispute. You'll both have an opportunity to present your views. As a neutral it's my job to be fair and objective. Are you willing to take this approach?

My name is Lisa. Welcome to the process. Sounds like you are both extremely frustrated about this situation. Would you both be willing to back up and start from the beginning?

You have such different perspectives and positions that I imagine you to be pretty pessimistic about finding a solution you will both be okay with. I am here to assist as a neutral person and have some ideas that have helped others. It does require you to take a step back and have a conversation in which you understand each other better.

In mediation I am here to act as your guide through negotiation to resolution. It will help me, help you if you can give me a little more background information. Also, please provide any documentation that you feel is relevant.

Thank you for joining the online mediation. This process is voluntary using the services of a neutral facilitator. There are issues that each side has raised that needs further examination. If you are willing, I will be able to help you resolve this dispute after we have an opportunity to discuss the facts and determine a satisfactory solution for each of you. I think it best for both of you to think about solutions that are acceptable to each of you. Can we proceed?

Hello I am XZY, your online mediator. This a voluntary process to resolve your dispute without the need for court. You will each have a chance to state your position and be heard but I do not make any decision, it is your role to decide in your dispute. Let's take a moment for me to explain this process in more detail.

I am hopeful we can work together, through a collaborative process, to resolve this dispute and give everyone a chance to explain your main interests and concerns so we can find an acceptable solution.

I hear the frustration in both your perspectives. This is natural. Let us take a breath and attempt to frame your concerns in a way that can be heard by the other party...

So, let us start with what mediation is and how we can tackle this issue. Mediation is a facilitated negotiation with the goal of finding a resolution by mutual agreement. So, let us start one at a time in a respectful manner. Are each of you willing to commit to problem-solving? If so, let us start with the person who called this office.

**Source: If you need more help, visit:** [**http://www.newhandshake.org/onlinemediatorguide**](http://www.newhandshake.org/onlinemediatorguide)