

Utah Dispute Resolution Mediator QA Evaluation Form

Name: _____

Date: _____

Observer: _____

Introduction:

- Welcome and opening comments
- Explain mediation process
- Clarify roles of participants
- Cover Agreement to Mediate
- Ground rules 5 4 3 2 1

Information Sharing:

- Encourage client participation
- Define issues
- Briefly summarize information and concerns
- Balance time and focus between clients 5 4 3 2 1

Issue Clarification:

- Ask appropriate questions
- Identify interests, differences and problems
- Identify common ground
- Reframe statements and issues 5 4 3 2 1

Generation of Options:

- Organize and prioritize issues
- Focus on present and future interests, not positions
- Explore multiple options and settlement possibilities 5 4 3 2 1

Negotiation:

- Facilitate negotiation and bargaining
- BATNA, WATNA, reality checking 5 4 3 2 1

Closure/Resolution:

- Draft agreement that is clear, specific, understandable, balanced, fair, realistic and addresses all the issues 5 4 3 2 1

Personal Qualities:

- Appropriate dress and appearance
- Create rapport, trust and positive outlook
- Confident and in control 5 4 3 2 1

Professional Qualities:

- Adequate planning and preparation time
- Adequate knowledge of issues
- Maintain impartiality and neutrality
- Avoid giving advice, pressure and judgment
- Show respect for different values and lifestyles 5 4 3 2 1

Communication Skills:

- Appropriate posture, gestures and eye contact
 - Appropriate use of voice tone, volume and clarity
 - Appropriate verbal content and timing
 - Listening and intuitive abilities
 - Paraphrasing and reframing skills
- 5 4 3 2 1

Special Techniques:

- Appropriate use of caucus
 - Appropriate involvement of other parties
 - Deal with impasse, resistance or bad behavior
 - Deal with power imbalance or control issues
 - Manage intense emotions
 - Show flexibility and creativity
- 5 4 3 2 1

Overall Assessment:

- Mastery of the mediation process
 - Awareness of ethical issues
 - Appropriateness of case for mediation
 - Appropriate level of competence and effectiveness
 - Ability to work with co-mediator and clients
- 5 4 3 2 1

Comments:

Recommendations:

- How can the mediator become more effective and competent?

Comments:

Mediation information:

- Date of the mediation: _____
- Type of case: _____
- Length of the mediation: _____
- Outcome: _____

Explanation of ratings:

- 5 – excellent, 4- highly competent, 3 – satisfactory, 2 – needs improvement, 1 - unacceptable