
Kluwer Mediation Blog

Design Thinking as a Mediator's Tool

Andrea Maia (Mediar360 - Dispute Resolution) · Monday, November 25th, 2013

Recently I had contact with the Design Thinking process, which is a creative problem solving approach that attempts to bring together tools and techniques from several disciplines and apply them to real problems or challenges.

Although it follows no real pattern, as each situation requires unique approaches and solutions, a simple framework can be applied in order to provide an introductory line of thought to the subject.

In my view, Design Thinking can be seen as a technique capable of bringing “empathy and logic” to the overall nature of the Mediation process. As such, by being creatively placed at the center of the problem, with the additional neutral assistance from professionals from different segments working in a collaborative manner, the parties involved can feel directly responsible for providing relevant ideas to the outcome of the problem.

For the Mediators, Design Thinking can be a valuable method for enhancing their analytical capabilities, without compromising their ability to conduct the process in a neutral manner. It involves:

- New ways of addressing old problems, in both creative and analytical forms;
- Collaboration across disciplines, combining ideas from the arts, social sciences, and business worlds;
- Developing empathy and uncovering real human need, using almost anthropological observation of people;

In general, there are four different stages involved in the Design Thinking process:

Data Collection - After the initial (NOT FINAL) problem or challenge is defined, the data collection process starts with an exploratory research, where the scope, limits, and players involved are identified, providing the basic guidance for the information gathering process.

In addition to desk research and interviews, open boundaries brain-storming sessions, “loosely” guided by the initial scope defined, are also an important tool used in order

to obtain rich and diverse results.

Data Analysis - the main objective of this stage is to try to find patterns in the data collected at the previous stage so that it makes sense, not only to those responsible for conducting the process, but also to those directly influenced by its results. Questionnaire design, research techniques, flow charts, conceptual maps, as well as different statistics tools are, among others, some of the disciplines involved in these two initial stages.

Problem Definition - At this stage, in addition to the people already involved (directly and indirectly), a further multidisciplinary team is brought into the process in order to try to obtain an unbiased perspective on the nature of the problem (or challenge) and later define it in a more precise manner. It is not unusual for the final problem definition to vary significantly from the problem identified at the first stage.

Problem Solutions - This last stage is where all forms of abstract and non-abstract ideas generated in the previous stages gain “form and shape” in order to define the best creative solution (quick, acceptable, and cost-effective). The use of a heterogeneous group throughout all four stages turns the understanding and implementation of the final solution a much simpler and acceptable process.

In short, I believe that Design Thinking can benefit Mediators who incorporate this technique to their Mediation methodologies.

For a practical understanding of Design Thinking in action, you can also refer to this youtube video:

<http://www.youtube.com/watch?v=M66ZU2PCicM>.

“Discovery consists of seeing what everybody has seen and thinking what nobody has thought.” Albert Szent-Gyorgyi

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The screenshot displays the 'Explore Practice Plus' interface. At the top right, there is a checkmark icon and the text 'Explore Practice Plus'. The main content area shows a user profile for 'Gary R. Egan' with a 'Relationship Indicator' section displaying three donut charts. The interface is clean and professional, with a blue header and a white content area.

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