

Not All Mediation Educational Programs Are Worth the Time or Money

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Given the rapid expansion of the mediation field over the past several decades, an increasingly important question for young and aspiring mediators is whether it is worth the time and/or money to invest in what are, in many cases, quite extensive mediation and dispute resolution training programs that have popped up around the world. Common questions include, "Do potential clients care what my credentials are?"; "Will I become a more effective neutral through coursework?"; and, perhaps most importantly, "Is this worth my time or money?" (an especially important consideration when one is attempting to break into the field with an initially small or non-existent mediation clientele).

I am thirty-years-old and conducted my first professional mediation five years ago – suffice it to say, I understand the common pitfalls most young mediators face! However, for the past two years, I have also had the privilege of working as the inaugural Research Fellow at the Straus Institute for Dispute Resolution at Pepperdine's School of Law in Malibu, California. While at Straus, I have had the unique opportunity to collaborate with Prof. Thomas Stipanowich, Academic Director at the Institute, to conduct several groundbreaking studies, including one on mediation practice and the perspectives of highly accomplished mediators worldwide. This International Academy of Mediators (IAM)-Straus Institute for Dispute Resolution Survey on Mediator Practices and Perceptions included responses from 130 of the most experienced mediators across six continents. More to the point, while designing the survey instrument of that study I purposefully included questions asking these accomplished neutrals for their perspectives on aspiring mediator education – precisely because there is a dearth of data on the subject and because it is such a crucial consideration for those thousands new to the field. The full results of the study will be reported in the upcoming publication *The New Age of Mediation: Current Practices and Perspectives of Leading Mediators Worldwide*, but because I think this topic is so important and because it is therefore so important that some quantification of opinion be able to inform conversation on the subject, I want to share with you all a "sneak preview" of some of our pertinent findings.

Specifically, mediator and mediation training programs range in scope from simple one-day seminars to multi-day conferences, to certificates and clinical programs, all the way to complete graduate degrees on the topic: The opinions of experienced mediators on such programs vary as widely as the plethora of programs available. When asked, "To what extent, if at all, do you think the following forms of mediation training and education are valuable to an individual seeking to become a mediator?" here's what these top practitioners had to say:

- Just under 70% of respondents indicated that common 40-hour courses or their equivalents are "essential" or "very valuable."
- However, only 24% thought so highly of completing "some graduate coursework in dispute/conflict resolution," and over a quarter of the mediators (28%) thought some graduate work was only "slightly valuable" when trying to start a practice.
- Perhaps further underscoring the previous point, only just under 21% of these professionals thought that earning an "entire graduate degree in dispute/conflict resolution" was "essential" or "very valuable," while 29% said doing so was only "slightly valuable" and just under 16% (or about 1 in 6 of these highly experienced mediators) thought an entire graduate degree was "not valuable at all."

These numbers clearly don't paint a pretty picture for the value of intensive mediation and dispute resolution education to aspiring mediators, and I personally agree with the findings. Having myself earned a law degree (here in the U.S., a Juris Doctor), Master in Dispute Resolution and Master of Psychology, I am firmly convinced that my degree in dispute resolution is of middling practical value in and of itself as a professional mediator. This is not to say that I regret my decision to pursue my degree – quite to the contrary, it was through the clinical element of my master's degree that I discovered my love and talent for guiding people through tough decision-making. This self-realization, coupled with the intensive training I received on interpersonal communication, the psychology of conflict dynamics, and the accompanying role-playing exercises that forced me to self-reflect and grow as a human being, have combined to help define who I am today both personally and professionally. These indirect effects of my mediation studies have had a profound impact on me as a man – indeed, in many ways I could not have anticipated when beginning my dispute resolution curricula.

The bottom line is, however, that the master's degree itself has been a minor factor in my attracting or retaining clientele as a young neutral. I would argue that the degree has significantly improved my ability to help parties and therefore, perhaps, also improved the likelihood of my attracting repeat clientele, but that I could have obtained many of these requisite skills and insights through a much less costly or time consuming course of taking a few select courses on pertinent topics, taking a 40-hour training or something commensurate, and self-study. In my personal opinion, the winning formulae for building mediation practices still heavily weigh the variables of:

1. Exposure to many potential clients (often obtained through a career in legal services or similar fields);
2. A long enough amount of time to both build that prospect base and to create overlapping cycles of referrals; and,
3. A combination of personality, knowledge, and skill to serve your clients well (to which intensive training can certainly contribute, but for which it is likely not necessary to obtain an entire graduate certificate or degree)

It's no wonder that, when asked the question "If you were to give one piece of advice to those individuals seeking to begin a mediation practice, what would it be?" many respondents replied with a variant of "don't give up your day job!" Breaking into the mediation professional is a difficult task and will only become more so as the field evolves and continues to saturate. These difficulties are only compounded for those individuals who do not have the benefit of several decades' worth of Rolodex building (or age, for that matter, as one's age is often conflated with one's "experience" or "wisdom," especially in the often interpersonally intense dynamics of our field).

In sum, I write this blog contribution not as an outright "warning flag" to not even try to become a mediator when young or inexperienced, but instead to give my candid thoughts – accompanied by those of many experienced mediators worldwide – on where you should focus your time and energy while trying to do so. Trying to pursue the path of a young mediator is hard enough without being sidetracked by opportunities that may not be worth the time or expense required to see them through, and it is important to carefully consider your options – with your eyes wide open – while doing so.

I realize this post may "stir the pot" a bit in our field, and I'm glad for the opportunity. It's not easy to discourage interest in some of the offerings of large, established institutions in our field, but I feel that there are candid truths those newer to our field ought to know before going down paths that may not be helpful to them as growing professionals. It is only through considered debate that our field can continue to coalesce and advance, and I hope the Kluwer blog can serve as a venue by which this might occur. Please feel free to contact me on this, any other topic, or on any of the empirical work I have done with the Straus Institute, at zach.ulrich@gmail.com.

The opinions expressed in this blog post are meant to communicate those personally held by the author and are not intended to be representative of Prof. Thomas Stipanowich or the Straus Institute for Dispute Resolution.