

# That Daunting First Mediation

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Do you remember mediating your first mediation? In this blog I share my early mediation experiences, calling upon the veterans amongst you to travel down memory lane and rummage around in all those dusty, nostalgic moments. I invite you to share them with those of us who are yet to slay that first mediation dragon so that we can pick up some tips and perhaps some courage!

We have a lot of firsts in our life – first day at school, first kiss, first job, first heartbreak – and they naturally tend to leave a strong emotional imprint. Sometimes they happen unexpectedly but sometimes the build-up can be extremely stressful. I remember that for my first mediation I was – surprise, surprise – extremely nervous.

It was the first week in my first job as a mediator. It was at a department of a State government authority responsible for assisting parties with their residential tenancy disputes. Most of our mediations were conducted over the phone in teleconferences. I had my first file on the desk in front of me with the contact details of the parties. I picked up the phone...and put it down. What was I going to say?? I had to prepare. I scribbled down some script and read over it a few times. I picked up the phone... and put it down again. What if they don't want to take part? What if I stuff up and make things worse? What if... Come on, Alex! I took a deep breath. Sometimes a little ritual can help – I counted to three, picked up the phone and dialled. It rang a few times and connected to a terrifying voice – «Hello?» There was no turning back now.

Fast forward two years and I was cracking mediations like nuts, three a day on average. A lot of them weren't that complicated and we even adopted the term *Speediation*. On top of that, I was making calls non-stop without hesitation, often to very upset or irate people. Thinking back to that first phoned call and how I had built up so much anxiety over it, it seemed so silly but I tried to reflect on what it taught me.

**Lesson 1:** Oh, that wasn't so bad!

How many times has reality turned out much less horrible than we had imagined it? Our imagination can be very powerful and put a lot of pressure on us to prepare for things that might go wrong. Taking that first step lets us shatter all the scary illusions and discover what we're really facing. More often than not, we realise that we're not so hopeless after all. Along with great relief comes a dose of confidence.

**Lesson 2:** More experience = less nerves.

Immediately after the initial success, we're in danger of relaxing too much or getting cocky. Nerves are good, they keep us focused. After all, we haven't reached unconscious competence just yet and must stay extra sharp. Too much worrying, however, will be a hindrance. Excess nerves can make us doubt ourselves and frazzle us with too many anxious thoughts. The common golden rule is finding the balance that works for you.

The good thing is that, generally, as our experience increases, our nervousness decreases. We become more comfortable with our ability to deal with the challenges that arise in mediation, we become more familiar with the process and our confidence builds. But what helped me manage my nerves at the beginning was, of course, preparation.

**Lesson 3:** Preparation, preparation, preparation

It makes sense that thorough preparation will help to run a mediation more confidently and to deal more effectively with any surprises. This is not a new idea.

What I will add, however, is that some people require a lot less preparation than others. I myself am not very good at 'winging it' or talking off the cuff. My brain needs time to process something new and to think of how to respond effectively to any twists. This is why I had to thoroughly craft my opening statement, practise it many times and have it there as a back-up until I could recall it comfortably from memory.

Preparing in your head is quite different from preparing in practice. When I was just starting, I talked through some of the scenarios with my colleagues. My opening statement? How will I describe the process? How will I invite the parties to speak? How will I deal with interruptions? What will I say if things go haywire?

Talking things through helped me to fine tune the language that I would use and gave me more confidence because until you verbalise your thoughts, you can't be sure what will come out under stress. However, as I was soon to discover, you can't prepare for everything!

**Lesson 4:** With a little help from our friends.

After my first anxious phone-call and after dozens of successful teleconference mediations, I remember my first face-to-face mediation. It was daunting, of course. I was co-mediating with a colleague who had also never done a face-to-face mediation. We had prepared thoroughly but were not prepared for quite a hostile tenant disputant (so much for lesson 3!).

My colleague was so nervous she spilled the jug of water on our papers instead of into the glass. I helped to clean up the spill and was very surprised at how relaxed I was. All those teleconferences had made me more confident handling angry disputants (lesson 2) and it didn't seem to matter so much that they were now physically present in the room. My calmness helped to keep the process going smoothly and soon, my colleague was supporting me in return when things got tricky for us.

I realised how valuable it would've been to co-mediate with someone very experienced. However, the two of us – mediation noobs – gained a lot of confidence out of our ordeal as we had to rely on and support each other.

**Lesson 5:** Transparency.

What helped me in my first mediations and all the subsequent ones was being transparent and honest. By that I mean explaining the process and interventions to the parties – why I'm suggesting some ground-rules, why I'd like them to make opening statements, why I'm suggesting a break or private sessions. This helps them to understand the process better and to have more ownership of it instead of just going along with what I say.

Being honest is also about not pretending that everything is going according to your plan. The expression «Fake it till you make it» doesn't work for me, which is not to say it won't work for you! Personally, I learned much later through *nonviolent communication* that if we speak honestly and from the heart – people are usually supportive. For example, once I found myself out of my depth and said «I feel like I'm making a mess of this mediation. I'd really like to help you both so is there a way I could do that at this stage?» It worked. The honesty helped to reset the tense vibe and the interaction became more sincere. It reminds me of that classic scene in Jerry Maguire – «Help me [to] help you!»

Transparency is a matter of personal choice and perhaps it's wise in your first mediation not to announce boldly to the disputants «This is my first ever mediation! Please be kind on me!» Seek the level of honesty that feels most comfortable to you and tweak it as you go.

**Lesson 6:** You've (mostly) done this all before.

I realise now that we unfairly put so much pressure on our first mediations. It's not like you're the first person ever going to the moon. After all, how many fights have you broken up already? How many tense conversations have you diffused? How many distraught friends have you consoled?

We deal with people in conflict our whole lives, we deal with conflicts ourselves all the time. We develop communication skills and emotional intelligence whether we become mediators or not, not to mention the many mediation role-plays you probably would've tackled successfully during your training.

When I was unfamiliar with the process at first, I tended to force it, which felt awkward. When I stopped struggling and started focusing on the people instead, it felt more natural, like a real-life, challenging conversation. And with time, I came to see the process as a support rather than a hindrance.

In your 'real' mediations, the process might seem awkward or strange at first but it will eventually start to flow naturally, like the many life mediations you've already done, unlocking more and more of your talents. So don't be too nervous with your first mediation, remember that the disputants are just people who are having a tough time and you already have many skills that can help them.

**Lesson 7:** Reflect.

Whether we rise perfectly to the challenge of a first mediation or blunder our way through doesn't matter too much, what matters is that we do it, that we jump in and overcome our fears. Having said that, making mistakes is only forgivable if we learn from them and don't keep repeating them.

What I quickly learned after my first mediation was how extremely valuable it can be to reflect on the experience – what went well? What didn't? What was difficult? What could I try differently next time? *Reflective practice* is something that can help you regardless of whether it's your first mediation or your 1000th.

I have shared here my first mediation experiences and some of the things they taught me. If you are one of the more seasoned mediators, have you remembered your first mediation? Did it teach you something? In the spirit of reflection, I invite you to dust off those fond memories and share any insights with the young mediator Jedis who now seek your guidance.



Young Mediators Initiative