

# Creating Effective Agreements

by Sophia Tutorial



## WHAT'S COVERED

In this lesson, we'll discuss the final step in putting together an effective agreement that satisfies both parties in the conflict resolution process. The two areas of focus include:

1. Creating a Written Agreement
2. Ensuring the Solution is Balanced

## 1. Creating a Written Agreement

Once the parties have evaluated and prioritized their options, or in other words, looked at the options they've generated and decided on the ones that are desirable and feasible, it's time to put the agreement into writing.

In conflict resolution, the **written agreement** is a mediated agreement that basically puts into writing what each party has agreed to do or the actions they've agreed to take.

We want to formally write this up and make sure each party leaves with a copy because it serves as a final check-in with each party.

The parties can now see in writing exactly what they've agreed to, and taking something that has been spoken and putting it into writing can really help with clarity. The parties can now see whether or not this agreement is exactly what they want.

Sometimes the parties may change their minds at this stage. They may say, "I don't want to word it that way. That's not exactly what I mean." The choice of wording really helps them clarify what it is that they want and don't want to include in this agreement.

When crafting the written agreement, it's very important to let the parties use their own language. Words mean different things to different people, so the parties need to tell you as the intervener what words they want to use.

You may write some things down for them, but you then need to check with them before making the agreement final: "Based on what I've heard, this is what you've agreed to do. Party A will agree to do this, and Party B will agree to do that. Is that correct?"

The parties will tell you if the agreement isn't stated correctly, or they'll tell you that what they really meant to say was something else. You then become the editor; you change the words because this is their document.



#### TERM TO KNOW

### Written Agreement

A mediated agreement in which each party's actions to be taken are formally written and clarified in a document given to each party.

---

## 2. Ensuring the Solution is Balanced

What we really want to go for in the written agreement is **abanced solution**, or a solution that all the parties view as having satisfied their needs.

When we think of balance, we tend think of everything being equal: if Party A is going to do five things, then Party B has to do five things.

However, that's not what a balanced solution in mediation is all about; what matters is that both parties are satisfied with the agreement.

↪ **EXAMPLE** If Party A comes in with four needs that are really important, we have to meet those four needs. For Party B, there are only two things that really have to happen to make them happy. So in this case, if we satisfy two things for Party B, and four things for Party A, we have a balanced solution.



#### TERM TO KNOW

### Balanced Solution

A solution to a conflict in which all parties feel that their needs have been satisfied.



#### BIG IDEA

The written agreement is the final step in the resolution process, and it's the step in which we put a formal solution in writing. Each party can walk away with a copy of this agreement.

As the intervener, you are just the editor. You may be writing the agreement down, but your job is to constantly check in with the parties to make sure that you're using language that makes sense to them, and that they are happy with what is written in the final agreement.



#### SUMMARY

In this lesson, you learned that the final step in the conflict resolution process is to **create a written agreement** so that the parties can see their solution clearly stated in their own words. You now understand that the written agreement should **ensure the solution is balanced**. This doesn't mean that the parties need to agree to do an equal number of things, but rather that all the interests on both sides have been satisfied. Good luck!

Source: Adapted from Sophia tutorial by Marlene Johnson.



#### TERMS TO KNOW

**Balanced Solution**

A solution to a conflict in which all parties feel that their needs have been satisfied.

**Written Agreement**

A mediated agreement in which each party's actions to be taken are formally written and clarified in a document given to each party.