

Ownership of the Resolution Process

by Sophia Tutorial



WHAT'S COVERED

In this lesson, we'll discuss how both parties need to feel a sense of ownership in order for the conflict resolution process to succeed. The specific areas of focus include:

1. Creating a Sense of Ownership
 - a. Outlining the Process
 - b. Getting Agreement
 - c. Checking In

1. Creating a Sense of Ownership

In conflict resolution, the parties need to feel like the process is theirs and that they have control over the outcome. When two parties are in conflict, they're going to work together to come to a solution.

While it may seem unlikely that two conflicting parties will be able to work together, the first step in this process is to show them that they can work together because they are going to own this process. They are going to be creating it, working through it, and taking responsibility for the outcome.

In order to create this sense of **ownership**, you as the intervener will need to follow three major steps:

- Outlining the process
- Getting agreement
- Checking in



TERM TO KNOW

Ownership

In conflict resolution processes: a sense that parties have substantial control over their participation and design or implementation of a process and any potential solutions.

1a. Outlining the Process

When the parties first come to the conflict resolution process, you are going to outline the process for them. You want them to feel comfortable with this process and how it works. You also want to get their input.



STEP BY STEP

1. *Explain Ground Rules:* You'll start by laying out some basic ground rules, letting the parties know that the process is voluntary and confidential, and explaining that while you as the mediator are here to guide the process, the process is still theirs.
2. *Let the Parties Speak and Be Heard* Then you'll let the parties know that they're each going to get a turn to speak in order to explain how they see this conflict. During this uninterrupted time of speaking, you and the nonspeaking party will be listening. Then, the other party will have the same chance to speak and be listened to.
3. *Ask Clarifying Questions:* Next, you'll explain that you, as the intervener, might ask some clarifying questions just to make sure you have the facts right and that you're understanding what each party has presented.
4. *Allow More Discussion:* You'll then move into more discussion. You will allow the parties to talk to each other back and forth for a while, or whatever they need to do in order to feel like they have fully spoken and been heard.

1b. Getting Agreement

When both sides feel like they have said what they need to say, and that they've been heard, you'll move into a period of generating and evaluating options. These options will lead to the final formalized written agreement.

You can get the parties' agreement by asking questions such as:

- *Does this sound agreeable to you both?*
- *Is there anything you would like to have as part of this process?*

Of course, whatever they would like has to fit within the conflict resolution guidelines.

➦ **EXAMPLE** One party asks, "If we get really stuck, can you just decide for us, or give us some good ideas?" If this is a facilitative mediation, you as the mediator will not be able to do that. You will need to clarify your role here and explain how you are going to be working with the parties.

➦ **EXAMPLE** Another party asks, "Is it okay if we ask each other questions during the time in the beginning when we are both speaking, or does it have to be totally uninterrupted?" You could reply, "That's fine if you both agree to it. Party B, are you okay with that?" If they want to have the time not be completely uninterrupted, but would instead like to listen and ask questions during it, that's their process. You take your cues from them.

1c. Checking In

Finally, it's very important that you check in. This **process check** is something that you will do during the mediation in order to see how the parties feel things are going.

However, there's also a more formal process check. You can tell the parties that there is the option for a process check in which you meet separately with each of them in order to sense how comfortable they are, how well served they feel, and whether they have any input.

There also may be something a party wants to share with you without the other party present. That's why this check-in is completely confidential; you can let them know that if they feel they'd like to check in with you at any particular time, they can do that.

Both formal and informal check-ins involve asking clarifying questions to make sure that the parties are

participating as well as speaking and listening to one another during the mediation itself, and that you understand their needs.



TERM TO KNOW

Process Check

A technique used by mediators to be certain that parties are comfortable with and feel well-served by the mediation process; asking parties for feelings about, input on, and suggestions to address their comfort level with a mediation process.



BIG IDEA

The success of the conflict resolution process really comes from parties feeling ownership. This means that they feel in control of how they participate and what the final outcome is. The process belongs to the parties, and they're going to work together with you as their guide to create it.



SUMMARY

In this lesson, you learned that **creating a sense of ownership** through outlining the process, getting agreement, and checking in is crucial to the success of conflict resolution. You now understand that while you as the mediator are there to guide the process, the process and the solution that results from it really belong to the parties. Good luck!

Source: Adapted from Sophia tutorial by Marlene Johnson.



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