



# Community Engagement: What Mediators Bring to the Table

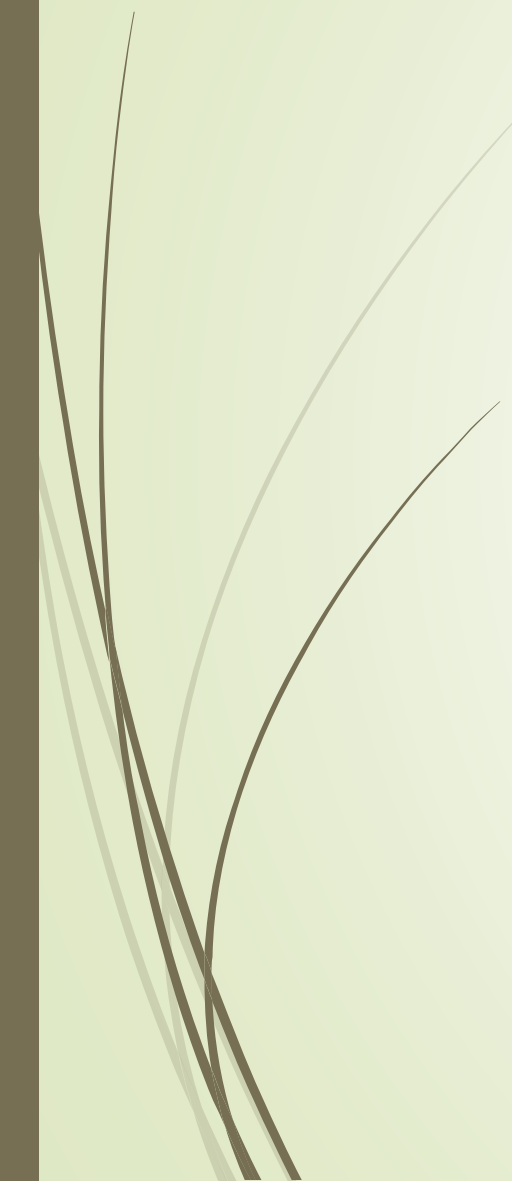
Professor Sharon Press

Director Dispute Resolution Institute

Mitchell Hamline School of Law



# Plan

- Mediator Contributions: qualities and skills
  - Community Engagement in General
  - Community Engagement in Practice
  - Skill Building
- 



Who's Here?

How many are mediators?

What types of mediation?



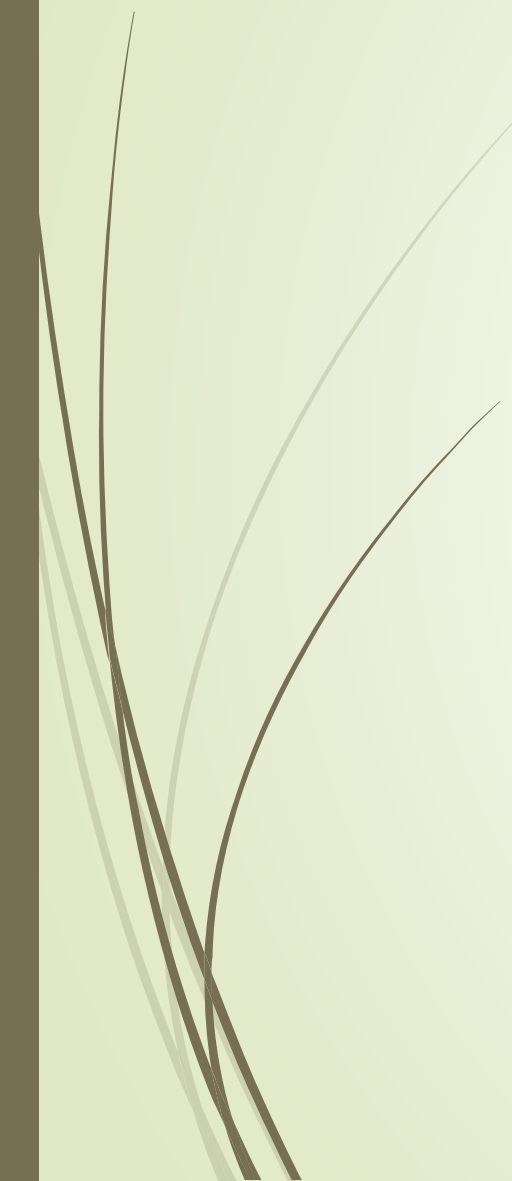


# Mediator Skills and Qualities





# Transformative Theory re: Conflict

- Conflict is primarily a human interaction in which people struggle to balance concern for self with connections to others; when this balance is upset, human interaction becomes alienated and destructive
  - Causes people to feel both more vulnerable/weak and more self-absorbed
  - More self-absorbed one is, less able to recognize other – downward cycle
  - Downward cycle can be reversed
- 

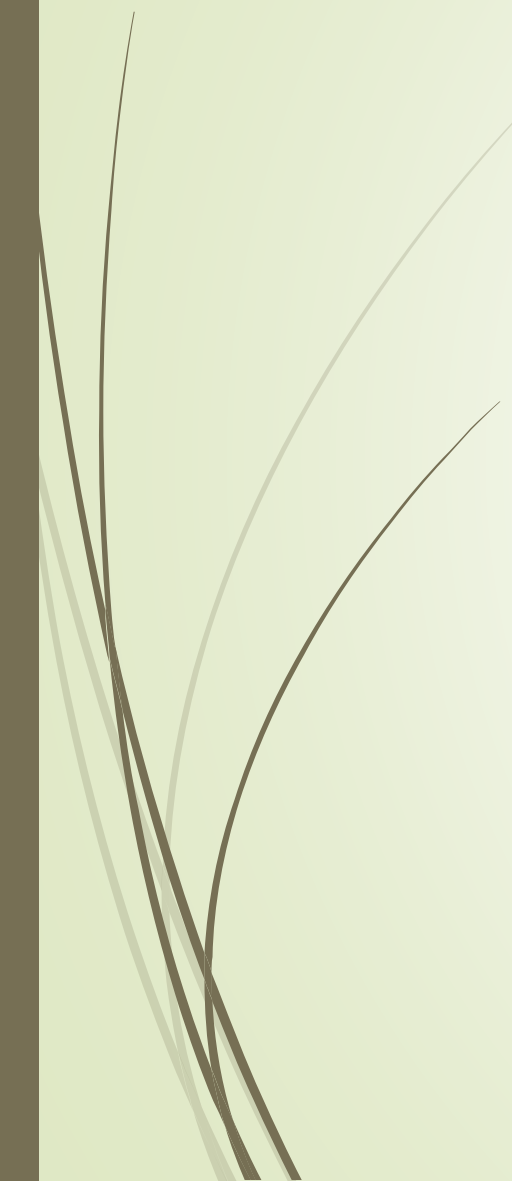


# Community Engagement: Options

- In Calm Times
    - Collect Input
    - Build relationships
  - In Advance of Civil Unrest
    - Planning
    - Build relationships
  - When Crisis Exists
- 

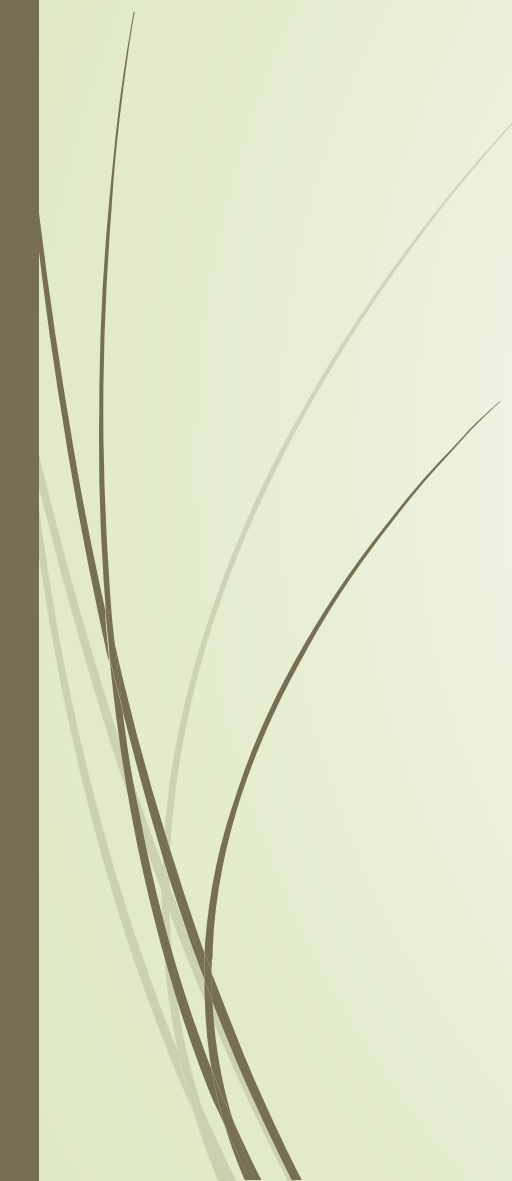


# Calm Times

- Relationship Building: Study Circles; Shared Meals or Events; Community Celebrations; Regular Meetings; Educational Meetings
  - Gather Information: Town Hall Meetings; Public Comments; Facilitated Conversations on a Topic; Pop-up Meetings; Surveys
- 



# Role “Mediators” Can Play in Calm Times


- Neutral Convener
  - Guardian of Procedural Justice
  - Designer of Non-Traditional Means of Gathering Information
  - Others?
- 





# In Advance of Civil Unrest

- Planning
  - Substantive
- 



# Planning – Divided Communities Project – The Ohio State University Moritz College of Law Program on Dispute Resolution

- Background
- “Antidote to destructive civil unrest is a solid plan for constructively handling unrest, created in more tranquil times.”
- Planning does not seek to dilute the voices of those who express concern, rather to amplify the voices in a way that the concerns can be heard



# Planning Steps



- ▶ A respected entity within the community should take the initiative
- ▶ Engage other key individuals in conducting an assessment
- ▶ Assemble a planning group
- ▶ Develop an early warning system
- ▶ Develop processes and opportunities for residents to raise problems and work with public officials
- ▶ Establish credibility by holding regular meetings, enhancing relationships with diverse groups and training public officials
- ▶ Develop concrete plans for actions during first hours and weeks of civil unrest



# Substantive Examples

Saint Paul Public Schools

Falcon Heights

*DRI Projects funded via grant from American Arbitration Association/International Center for Dispute Resolution Foundation*



# Saint Paul Public Schools

- Background
- Steps
  - Preliminary discussions
  - Assessment
  - Plan Creation and Adoption
  - Design Team
  - Training of Facilitators
  - Collection of Input
  - Report and Recommendations



# Design Team

- Description
  - Benefits
  - How to Implement
- 



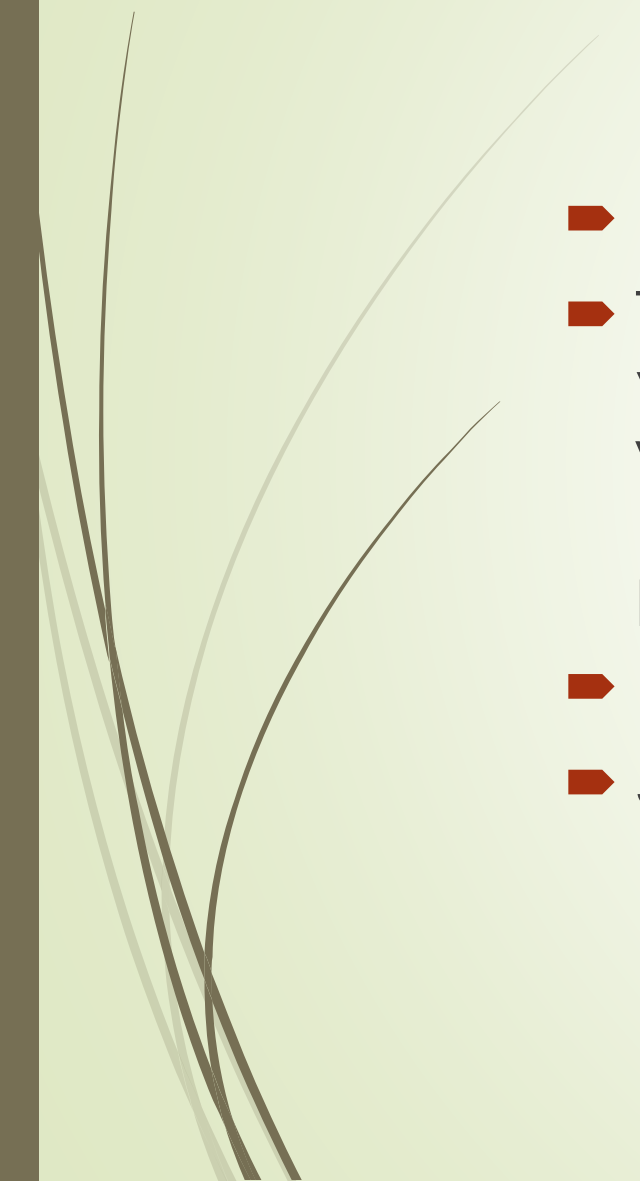
# Community Input Sessions Considerations

- ▶ Locations
  - ▶ Size
  - ▶ Parking
  - ▶ Ease of finding
  - ▶ Neutral site
- ▶ Languages
- ▶ Child Care
- ▶ Time
- ▶ How to invite the public – ensure diverse viewpoints are heard





# Falcon Heights


- Background
  - Task Force: To articulate, affirm and operationalize our values as a community to be an inclusive and welcoming environment for residents and guests of Falcon Heights, with an emphasis on policing values, policies and procedures
  - Design Team
  - 5 Community Conversations in Circle
    - How do you define community?
- 





# Conversations

- ▶ 1: Theme: Values and Healing – Circles: Participants shared why they came and their most important personal value; the value they would most like their neighbors and public officials to demonstrate, and why; the value they would most like their neighbors and public officials to demonstrate, and why; how they would like to see the City of Falcon Heights heal and how they would like to see themselves, their neighbors, and their public officials demonstrate the values.
- ▶ 2: Theme: “developing options for how the city can live out the community's values in its activities, policies, policing, and other practices”  
Circles: barriers to honoring the values from session 1; what it would look like for the City of Falcon Heights to live out these values in city and community activities and polices, and policing policies and practices
- ▶ 3: Theme: reviewing and providing input on a set of draft recommendations created by the Falcon Heights Task Force
- ▶ 4: Discussion of Transformational Change
- ▶ 5: Commemoration and Next Steps

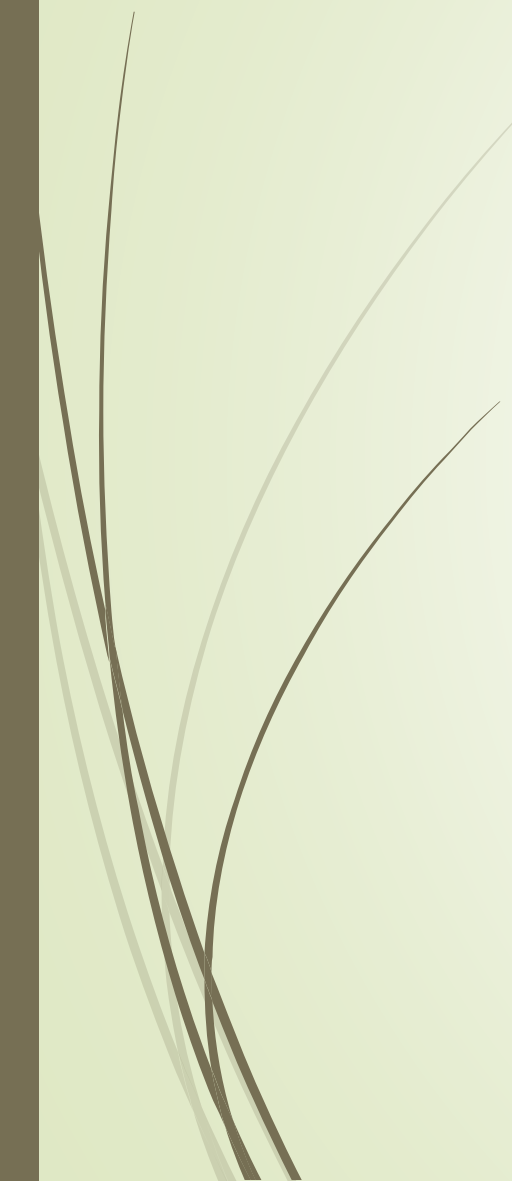


# Assessment – Mediator Skills

- **Listening**
  - **Identifying Interests**
  - **Commonalities**
  - **Fears**
- **Reaching out to all stakeholders (omni-partial)**



# Plan Creation

- **Address interests and concerns**
  - **Creativity**
  - **Honoring Self-Determination**
- 



# Facilitation vs. Circle Process

- ▶ Facilitator's Role:

- ▶ Enables or empowers people to work together and listen to each other
- ▶ Encourages participation and responsibility for outcomes
- ▶ Ensures individuals in the group are recognized, acknowledged and responded to
- ▶ Does not inject his/her own story or beliefs

- ▶ Circle Keeper's Role:

- ▶ Creates space and sets guidelines
- ▶ Poses questions; keeps circle "moving"
- ▶ Participates/shares

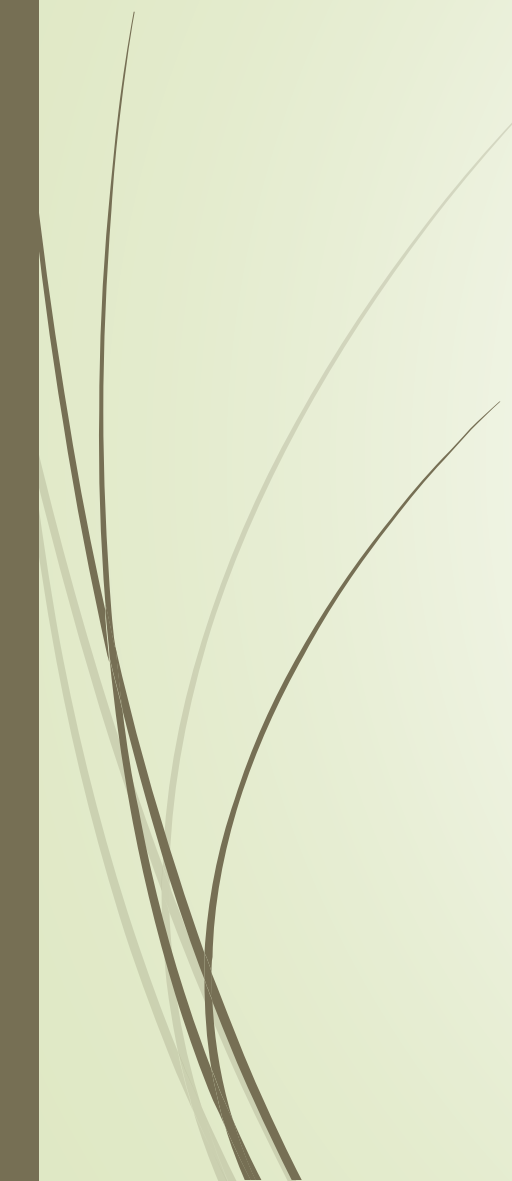


# Community Engagement in Crisis

- Challenging environment
- Safety
- Transformative Theory – Ally function
- Create Plan for Community Engagement Post-Crisis
  
- Least effective time – hard to get commitment of time and money when no crisis



# Opportunities for Community Engagement


- Ideas
  - Questions?
- 



# Training for Facilitators - Assumptions

- Facilitated conversations are one way for community members to participate in dialogue. There are other approaches and processes which may be used instead of, or along with, facilitated small groups.
- Familiarity with:
  - Potential positives of conflict
  - Understanding underlying interests
  - Collaboration
  - Mediation/facilitation processes and ethics
  - Empathetic listening
- Process designers and lead facilitators are responsible for the overall community dialogue project. Each project will have unique logistics and considerations, which will be covered with volunteers.






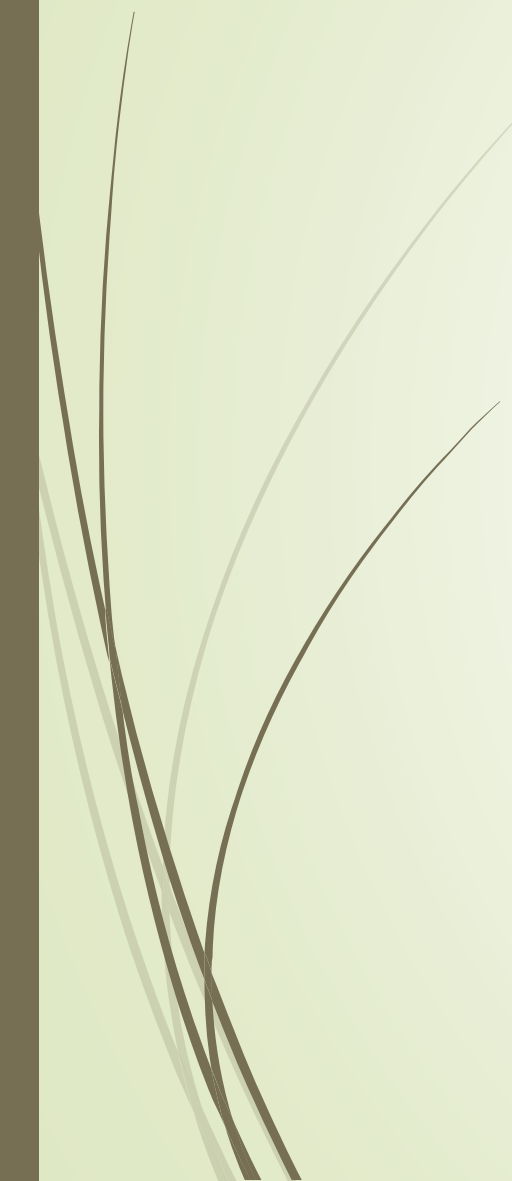
# Facilitator Communication Challenges

- Managing the communications within a facilitation requires that the facilitator be fully present. This may be challenged by:
  - Our own biases,
  - Our individual distractions,
  - Our visible personal anxieties,
  - And our fears and personal triggers.





# Facilitator Communication Challenges

- ▶ Balancing the free flow of communication within the facilitation design (or structure) is challenged by:
    - ▶ time limitations,
    - ▶ facilitation purpose and objectives,
    - ▶ discussion topic and/or questions,
    - ▶ participants with 'closed' minds,
    - ▶ cultural barriers,
    - ▶ language barriers,
    - ▶ opposing points of view
- 

# Group Communication Challenges

- ▶ Someone over-talking, for instance:
  - ▶ talking too long
  - ▶ talking around and around and not getting to the point
  - ▶ a person repeating the same thing over and over perhaps even if with different words
- ▶ Someone who is difficult to understand i.e.,
  - ▶ Talking too fast
  - ▶ Mumbling
  - ▶ Talking volume is too low
  - ▶ Language barriers



# Group Communication Challenges Continued . . .

- Someone being abrasive to others
  - Participants engaging in side conversations
  - Someone who is curt or does not talk
- 
- Using your knowledge of mediation, what would you do to address these issues?



# Tips for Managing Communication in Facilitation

- ✓ Prepare in Advance.
- ✓ Review and know the Agenda before the meeting.
- ✓ State your objectives at the beginning of the event.
- ✓ Establish community communication expectations.
- ✓ Guide the group in presenting and sharing information.
- ✓ Provide closure and reiterate action items.

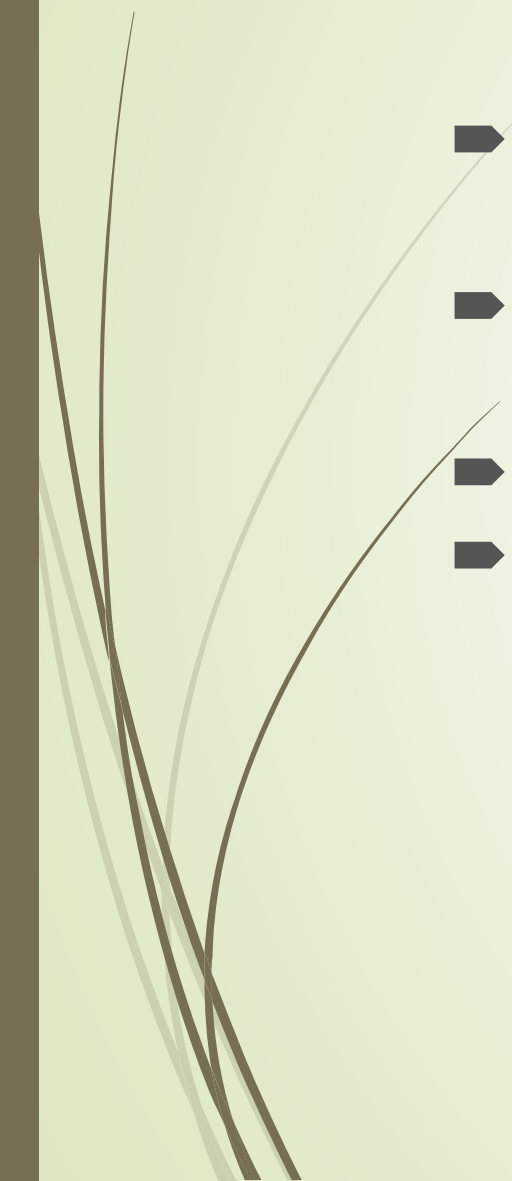


# Managing Communication – Encouraging Participation

- ❑ Ask whether there is something that the group does not yet understand
- ❑ Get comfortable with silence to allow for group reflection
- ❑ Ask whether anyone who hasn't spoken would like to add to the conversation (step up and step back)
- ❑ If a group is stagnant or turbulent and you want to get them moving in a shared direction, do so by offering a way forward. Make a compelling suggestion rather than a punitive threat.
- ❑ Maintain credibility. Do not offend. Go with the flow.



# Communication Management Tips

- ▶ In some cases, a popcorn format can be used with each person self-selecting when to speak,
  - ▶ Use 'stacking' when several people want to speak
  - ▶ Use tracking to facilitate discussion
  - ▶ Intensify and enrich the discussion by resonating with group members. Amplify each other's thoughts creates something bigger and better than either could have created on our own.
- 





# Communication Management Tips, Cont.

- Respectfully ask participants who are going long to wrap up
- Summarize and acknowledge, to help someone move on
- When there is some tension, you can lead passively by making sparse but meaningful comments
- You may write summary notes on a screen or flipchart for all to see
- You might simply be quiet and allow your calm and attentive presence provide assurance that the tension is part of the process
- Address the issue at break

# Facilitation Communication: Some Differences?

- ▶ Staying on-task and on-time.
  - ▶ Remind the group of the “keep focused” expectation
  - ▶ Don’t be afraid to directly re-focus the group on a particular agenda item
  - ▶ Try to close the item or set it aside in a “parking lot” for consideration later
  - ▶ Let the community decide