

FAMILY MEDIATION CANADA NATIONAL CERTIFICATION PROGRAM
FAMILY MEDIATOR SKILLS ASSESSMENT CHECKLIST

Date: _____ Candidate: _____ Assessor: _____
Ethics: _____ Power Imbalance: _____ Overall: _____

MEDIATOR SKILLS	EXAMPLES OF OBSERVABLE BEHAVIOURS*	LEVEL
I. MANAGING THE RELATIONSHIPS IN MEDIATION	EXAMPLES OF OBSERVABLE BEHAVIOURS* * You are not expected to demonstrate every one of these behaviours	
<p>A. Establishes and maintains a respectful trusting relationship with the participants.</p> <p>Does the mediator form an effective relationship with the participants?</p> <p><u>OBSERVED BEHAVIOURS</u></p>	<p>1. NO SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> • treats participants in a disrespectful manner • makes no attempt to develop trust or rapport <p>2. INADEQUATE SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> • demonstrates uncertainty, lack of confidence in the mediation process • establishes minimal relationship with participants • expresses own views, imposes own decisions and disregards those made by participants • forces participants to disclose feelings which expose and make them feel more vulnerable <p>3. SATISFACTORY SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> • is “present” and attentive • builds rapport and confidence in med. process and self • demonstrates ability to be non-judgmental and to keep an open mind • encourages open expression of views • uses language both can understand • acknowledges what participants express as important to them • uses humour appropriately <p>4. STRONG SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> • protects and affirms participants’ right to self-determination • maintains and supports participants’ integrity <p>5. OUTSTANDING SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> • continually demonstrates predictability and accountability in all aspects of the working relationship • participants able to work with risks and creativity because of quality of trust in the mediator and the mediation process 	
<p>B. Facilitates a collaborative relationship between the participants.</p> <p>Does the mediator promote clients co-operative efforts and mutual understanding?</p> <p><u>OBSERVED BEHAVIOURS</u></p>	<p>1. NO SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> • actively discourages dialogue and distrust between participants • participants have a worse relationship at end of session than at the beginning. <p>2. INADEQUATE SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> • fails to establish effective guidelines for communication • continually cuts off participants when they are engaged in productive discussion • insists on controlling all dialogue through mediator, thus promoting dependency on mediator • does not mutualize 	

FAMILY MEDIATION CANADA NATIONAL CERTIFICATION PROGRAM
FAMILY MEDIATOR SKILLS ASSESSMENT CHECKLIST

Date: _____ Candidate: _____ Assessor: _____
Ethics: _____ Power Imbalance: _____ Overall: _____

	<p>3. SATISFACTORY SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> engages both participants in the discussions encourages the participants' co-operation and partnership in the process promotes each participant's understanding of the other's point of view of the conflict <p>4. STRONG SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> works with participants to promote mutual understanding, insight into and empathy for the other helps participants find a mutual definition of the problem <p>5. OUTSTANDING SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> enhances participants' commitment to their new collaborative working relationship 	
<p>C. Manages power imbalances.</p> <p>Does the mediator facilitate opportunities for full participation? * you are required to pass this section of the assessment <u>OBSERVED BEHAVIOURS</u></p>	<p>1. NO SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> ignores one party completely or diminishes the importance of what they say does not recognize unequal power balance <p>2. INADEQUATE SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> uses the participants' positional, emotionally laden, inflammatory language allows one participant to dominate the session aligns with one of the participants <p>3. SATISFACTORY SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> ensures equal communication opportunities which both understand uses appropriate body language and eye contact ongoing screening for safety ensures both agree with process decisions <p>4. STRONG SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> works with participants to develop a process that creates and ensures equal opportunities for involvement <p>5. OUTSTANDING SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> establishes and maintains a working environment based on equality with all participants able to give and receive appropriate, constructive comments/feedback 	
<p>II. MANAGING THE PROCESS OF MEDIATION</p>	<p style="text-align: center;">EXAMPLES OF OBSERVABLE BEHAVIOURS*</p> <p>* You are not expected to demonstrate every one of these behaviours</p>	<p style="text-align: center;">LEVEL</p>
<p>A. Attends to and explores participant's interests.</p> <p>Does the mediator assist participants to identify underlying interests? <u>OBSERVED BEHAVIOURS</u></p>	<p>1. NO SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> entrenches participants in their positions accepts statements at face value; no questions or probes imposes mediator's interests <p>2. INADEQUATE SKILLS DEMONSTRATED</p> <ul style="list-style-type: none"> minimal exploration of positions and without exploring interests before moving to solutions ignores/mishandles statements of feelings allows assumptions and misunderstandings 	

FAMILY MEDIATION CANADA NATIONAL CERTIFICATION PROGRAM
FAMILY MEDIATOR SKILLS ASSESSMENT CHECKLIST

Date: _____ Candidate: _____ Assessor: _____
Ethics: _____ Power Imbalance: _____ Overall: _____

	<p><u>3. SATISFACTORY SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • allows sufficient time for each participant to express their positions and explore their interests • reframes positions and probes for underlying interests • acknowledges the participants' feelings • clarifies misunderstandings and assumptions • ensures children's interests are addressed <p><u>4. STRONG SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • identifies mutual and individual interests • is able to differentiate and connect interests of the participants <p><u>5. OUTSTANDING SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • works with the participants to identify principles based on their underlying interests 	
<p>B. Manages conflict appropriately.</p> <p>Does the mediator assist the participants to engage productively?</p> <p><u>OBSERVED BEHAVIOURS</u></p>	<p><u>1. NO SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • oblivious to or extreme unease with conflict • neither participant feels emotionally or physically safe in the mediation • no screening for safety • terminates unsafely <p><u>2. INADEQUATE SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • ignores or mismanages emotionally damaging statements • negatively reframes statements which serve to escalate, maintain or entrench the participants positions <p><u>3. SATISFACTORY SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • provides ongoing screening for safety • works with the parties to develop their communication guidelines • establishes and maintains (redirects, refocus) constructive negotiations • establishes an emotionally and physically safe atmosphere • ensures focus is on the problem not the people • acknowledges and normalizes the participants' conflict <p><u>4. STRONG SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • uses interventions to seek clarification • confronts discrepancies • uses immediacy to attend to non-verbal cues • reframes statements to defuse and gain consensus <p><u>5. OUTSTANDING SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • appears comfortable with conflict and to assist the participants to deal with their conflict in a healthy, healing manner • facilitates the participants' ongoing positive communication patterns 	
<p>C. Evaluates ongoing process.</p>	<p><u>1. NO SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • overwhelmed and confused by the process and takes no action • no control over process with no established and respected 	

FAMILY MEDIATION CANADA NATIONAL CERTIFICATION PROGRAM
FAMILY MEDIATOR SKILLS ASSESSMENT CHECKLIST

Date: _____ Candidate: _____ Assessor: _____
Ethics: _____ Power Imbalance: _____ Overall: _____

<p>Does the mediator monitor and work with participants to continually adapt the process?</p> <p><u>OBSERVED BEHAVIOURS</u></p>	<p style="text-align: center;">guidelines</p> <p><u>2. INADEQUATE SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • unaware of participants' resistance to process • does not solicit or respect the participants' input into the process • lacks awareness of the contentiousness of the issues • allows participants to focus on past behaviours which are unrelated to the issue at hand <p><u>3. SATISFACTORY SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • respects each participant's different needs for time to process decisions • maintains optimism and forward movement • monitors participant's readiness to move productively through the process • demonstrates adequate understanding of issues • comfortable with silence • participants feel safe and understand what is happening • helps generate an agenda and prioritizes it • works with the participants to develop a process that respects their culture and their uniqueness <p><u>4. STRONG SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • helps participants focus on issues to be addressed based on individual and mutual interests • seeks clarification and direction from the participants in the process design, adapts agenda and makes procedural changes as necessary • tracks body language as well as verbal cues and attends to non-verbal cues • encourages them in their capacity to work through the issues <p><u>5. OUTSTANDING SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • consistently works with the participants to ensure that they are engaged in a mediation process that meets their particular needs with predictable transitions and structure and a pace they are both comfortable with 	
<p>D. Conducts the mediation ethically.</p> <p>Does the mediator work with the participants in a professional manner?</p> <p>* you are required to pass this section of the assessment</p> <p><u>OBSERVED BEHAVIOURS</u></p>	<p><u>1. NO SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • sets up or continues with an unsafe meeting endangering one or more of the participants • Violates Code of Ethics/ professional standards of practice <p><u>2. INADEQUATE SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • fails to discuss confidentiality • gives wrong information or gives legal advice • imposes solutions <p><u>3. SATISFACTORY SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • explains confidentiality and deals with any immediate concerns around it • monitors participants' readiness and safety before mediation and as an ongoing process • evaluates need to include others or refer out • acts within own area of ability and mandate • discloses mediator biases/conflicts of interest 	

FAMILY MEDIATION CANADA NATIONAL CERTIFICATION PROGRAM
FAMILY MEDIATOR SKILLS ASSESSMENT CHECKLIST

Date: _____ Candidate: _____ Assessor: _____
Ethics: _____ Power Imbalance: _____ Overall: _____

	<ul style="list-style-type: none"> • maintains the children's best interests • ensures full disclosure of information <p><u>4. STRONG SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • ensures decision making power remains with participants • encourages feedback from participants on mediator impartiality • preserves self-determination even when impasse is reached <p><u>5. OUTSTANDING SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • continually engages participants in a process with integrity and respect, guarding their rights and maintaining their self-determination 	
III. MANAGING THE CONTENT OF MEDIATION	EXAMPLES OF OBSERVABLE BEHAVIOURS* <small>*You are not expected to demonstrate every one of these behaviours</small>	LEVEL
<p>A. Assists participants to identify and manage information.</p> <p>Does the mediator provide a framework to gather and track information?</p> <p><u>OBSERVED BEHAVIOURS</u></p>	<p><u>1. NO SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • lacks interest and skill in soliciting information • deliberately misuses and mismanages information <p><u>2. INADEQUATE SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • does not provide appropriate information (role and process of mediation, pertinent issues) • poor listening skills and does not capture the essence of what is being communicated • lacks knowledge of stages of children's growth and development, grieving cycle, community resources, etc. <p><u>3. SATISFACTORY SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • defines the mediation process and the roles of the mediator and the participants. • uses a variety of questions to generate information • tracks, uses and summarizes information accurately • provides appropriate and correct information and/or refers to helpful resources • encourages full disclosure of information needed to make decisions • appears to understand case facts <p><u>4. STRONG SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • assists participants to organize information • works with participants to aid their ability to see new information and information links • helps the participants develop a framework to gather and track their needed information <p><u>5. OUTSTANDING SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • assists the participants to apply interest-based criteria in judging usefulness or relevance of the information • works with the participants to ensure the information is integrated throughout the process 	
<p>B. Assists participants to apply interest-based solutions.</p>	<p><u>1. NO SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • forces parties to a decision not of their making • frames issues as positional and the negotiations become positional bargaining 	

FAMILY MEDIATION CANADA NATIONAL CERTIFICATION PROGRAM
FAMILY MEDIATOR SKILLS ASSESSMENT CHECKLIST

Date: _____ Candidate: _____ Assessor: _____
Ethics: _____ Power Imbalance: _____ Overall: _____

<p>Does the mediator assist the participants to generate options and apply interest based solutions?</p> <p><u>OBSERVED BEHAVIOURS</u></p>	<p><u>2. INADEQUATE SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • parties appear ready and express need to proceed with options but mediator postpones despite time to do so • allows premature decisions based on insufficient information • does not summarize where they leave off • limits creation of options • allows unrealistic and unworkable decisions <p><u>3. SATISFACTORY SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • assists participants to explore and evaluate options • accurately summarizes progress • breaks solutions down into manageable portions • works with participants to build interim measures to assist until next session • promotes participants' ability to define their own outcomes or solutions • encourages and commends the participants' efforts <p><u>4. STRONG SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • helps the participants identify principles and criteria that will guide their decision making • assists participants to select a wide variety of creative options which best address their mutual as well as individual interests • provides an opportunity for participants to test the reality of their decisions • provides for options if agreement is not reached or breaks down <p><u>5. OUTSTANDING SKILLS DEMONSTRATED</u></p> <ul style="list-style-type: none"> • works with the participants to develop their own principles to evaluate their solutions • encourages the participants' belief in their ability to use their own criteria to develop interest based solutions for the present mediation and for their future negotiations
---	--