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What Works in Transformative Mediator Coaching: Field Test Findings

James R. Antes and Judith A. Saul¹

ABSTRACT

A process for the formative assessment (coaching) of mediators practicing from the transformative orientation was field tested at six different sites. Specifically varied were whether or not the mediator's original training was in the transformative orientation, the mediator's amount of experience practicing from the transformative orientation, and whether the role-play mediation sessions were live or videotaped. In addition to drawing conclusions about the qualifications necessary for a coach and the pros and cons of videotaped sessions versus live stop-action sessions, we developed guidelines for structuring the coaching process. We also identified a range of possible uses of the process.

WHAT WORKS IN TRANSFORMATIVE MEDIATOR COACHING: FIELD TEST FINDINGS

In 2001, Antes and Saul described a mediator assessment process designed to help mediators develop their understanding and practice of the transformative approach to mediation. Mediator interventions, according to the transformative orientation, depend on the mediator's awareness of the moment-by-moment interactions between parties. The fundamental premises held

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by the mediator, about the parties and about conflict, guide these interactions. The assessment process is intended to invite mediator reflection on his or her interventions in the context of a role-play mediation. In this way, mediators may come to an understanding of *why* they engaged in a particular intervention and *how* that intervention is linked to basic premises in a *specific situation*, not in the abstract or taken out of context.

During the assessment process, the role-play action is stopped, and the mediator is invited by a coach/trainer to consider (1) what was happening in the interaction, expressed in terms of empowerment or recognition opportunities, that led to the mediator's intervention; (2) what the purpose of the mediator's intervention was, again expressed in terms of empowerment or recognition; (3) what the effects on the parties were; and (4) how the intervention was linked to premises and principles of the transformative approach. This may be carried out with a live or videotaped role-play mediation.

The process was developed with two goals in mind: first, to develop mediators' understanding and practice of the transformative approach to mediation; and second, to help mediators become more intentional in linking principles to practice. However, there was no systematic evidence of its utility since the process had been largely untested. The authors decided to test the process with mediators who were interested in learning more about the transformative approach.

We contacted individuals who were familiar with the transformative orientation, and invited them to assist in the design and implementation of field tests of the process. Based upon the experiences of the consultants, three factors in particular were identified that might influence the effectiveness of the process, and therefore should be investigated in the field tests. Those three factors were: (1) whether or not the mediator's original training was in the transformative approach; (2) how much experience the mediator had in practicing the transformative approach; and (3) whether the role-play mediation was live or video-taped. Six field test sites were identified, and these three factors were varied across the sites.²

A set of expectations was developed for the field tests, which included the following key components:

1. The field tests would occur during a one-day session, involving 3 or 4 participants plus the coach.

2. These sites were located at Boston, MA, Grand Forks, ND, Greenwich, UK, Ithaca, NY, Rochester, NY, and Washington, DC.

2. During the session, there would be at least two mediation role-plays, plus the assessment/coaching process for each mediation. Participants would rotate among the roles of mediator, party, and observer.
 3. One of the two role-play scenarios would contain diversity issues.
 4. At the start of the session, the coach would describe the project, obtain informed consent from the participants, and collect background profile information from participants.
 5. As the field test proceeded, the responsibilities of the coach would be:
 - At the start of the session:
 - * Provide an overview of the premises and principles of the transformative approach;
 - * Describe the context-purpose-effect process; and
 - * Review the roles of each of the participants
 - During the coaching period:
 - * Begin by asking the mediator about specific aspects of transformative practice that he or she wishes to work on, and inviting the mediator to stop the tape (or the live action), if the situation warrants discussion;
 - * Stop the tape (or live action) several times (the mediator may also stop the tape);
 - * Engage the mediator in discussion during each stoppage according to the context-purpose-effect-linkage format. Mediation parties are invited to participate as appropriate, especially as effect is being considered; and
 - * Make specific links to transformative principles and premises.
 - At the conclusion of the coaching period:
 - * Develop, along with the mediator, a summary of the themes of the session, and the areas for further work by the mediator.
 6. At the conclusion of all the role-play/coaching opportunities, focus groups/interviews would be conducted with the participants and the coach.
 7. In the succeeding days and weeks, after participants have mediated a case using the transformative approach, participants would be interviewed.
- James Antes served as observer and post-session interviewer at all the sites except for Greenwich, where another experienced transformative mediation trainer and coach filled that role.

RESULTS

Table 1 presents information about the background and experience of the participants at each of the field test sites.

Table 1: Background and experience of field-test participants

	Site 1	Site 2	Site 3	Site 4	Site 5	Site 6
Number of Participants	5	5	2	12 (3 groups)	8	7
Initial Training Model	Other	Other	Trans-formative	Trans (1 other)	Other (1 trans)	Other
Mean Years Mediated	9.2	6.8	1.5	0.8	6.5	9.4
Mean Hours of Non-Transformative Training	169	127	0	0 (1 had 100)	73	94
Median Number Cases Mediated	100	100	2.5	0	65	80
Mean Hours of Transformative Training	20	22	56	50	21	22
Median Number Transformative Cases Mediated	2	9	2.5	0	Indeterminate (small)	5.5

We listened to the tape-recorded interviews, took notes on the responses, divided the responses into statements, and organized the statements into response categories. Eight different categories of responses emerged: (1) helpful aspects; (2) concerns; (3) suggestions; (4) reflections on one’s own development; (5) statements about new understandings; (6) statements about the coach’s activities; (7) statements addressing the video or live-action format; and (8) other comments.

About one month following the coaching session, we made follow-up contacts by email (with all participants except those from Greenwich). By that time, participants had had the opportunity to mediate and they could reflect on any influence the coaching session may have had on their practice. Thirteen responses were received from the 25 people contacted (2 participants did not report an email address).

OBSERVATIONS

A set of observations was compiled based upon the notes of the observers and upon what the participants reported. These observations are presented below.

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Prior training factor

In the field tests involving mediators who had prior training in another model of mediation, there was frequently some form of resistance to the transformative model itself. This was manifested either by overt statements challenging some aspects of the model, or directive practices in the role-plays that were supported by the other participants.

Degree of experience factor

We did not perceive substantive differences based upon the amount of experience participants had in mediating from the transformative approach, although there was not a wide range in the number of transformative cases mediated.³ A much more influential factor was whether or not participants had prior training in another model.

Video versus live action

Participants identified advantages and disadvantages of both approaches. In those field tests where participants experienced both approaches, there was a preference for live action. This issue is discussed more fully below under *Conclusions*.

Time

There never seemed to be enough time for the participants to discuss all that they wanted to discuss. Usually, with the videotaped mediations, only a small portion of the mediation was discussed. There were some attempts to fast-forward the tape to particular moments, but that was difficult and time-consuming.

Single-event versus long-term process

All participants valued participating in the process and expressed an interest in additional similar experiences.

3. See Table 1.

Breadth of participation

Everyone seemed comfortable participating in the discussion — mediators, role players, and observers. All seemed eager to learn. There was a strong feeling that learning occurred regardless of what one's role was.

Value of party feedback

The participants especially valued any feedback from the parties that related to the effects of the mediator's interventions.

Who stops the tape (action)

Usually the coach instigated the stop, but occasionally the mediator did. Also, the observer did stop the tape, albeit rarely. However, an observer never stopped the live action. The discussion seemed productive in all cases.

Why the tape (action) is stopped

Some mediators had the feeling that stoppages occurred when the mediator made a mistake. This tended to induce defensiveness and inhibit discussion.

Kind of feedback from the coach

There was a substantial range in the type of feedback from the coach: elicitive questions, questions directed to parties, requests for reflection about alternative interventions, suggestions for alternative interventions, observations about compatibility of an intervention with the transformative approach, and acknowledgment of positive interventions.

Discussion "Styles"

There were style differences in how the coach interacted with the participants. Some of the dimensions of difference were: explicit use of empowerment and recognition language, explicit use of the context-purpose-effect-linkage framework, specific references to principles and/or premises, use of visual aids in presenting premises and principles, type of feedback (see above), and tendencies to either lecture or engage participants in a discussion. Regardless of the discussion style, participants unanimously agreed in all field tests that they valued the experience.

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Preliminary theoretical discussion

Some coaches did very little preliminary discussion with the participants about the theoretical approach, and others did so for as long as about 20 minutes.

CONCLUSIONS

We reconvened the group of consultants and discussed the results of the field tests, including the above observations and the responses of the participants. As a result of that discussion, we drew conclusions about the qualifications necessary for a coach and the pros and cons of videotaped sessions versus live stop-action sessions. Further, we developed guidelines for structuring the coaching process. We also identified a range of possible uses of the process.

Coach Qualifications

First and foremost, someone coaching mediators in the transformative orientation needs to fully support the use of the orientation and know it deeply and well. For instance, a good coach must be able to:

- Link premises and principles to intervention
- Recognize missed opportunities for empowerment and recognition
- Understand the ways empowerment and recognition link to each other
- Note the effect of the mediator's behavior on parties' opportunities for decision-making
- Recognize the more subtly directive moves mediators make
- Understand the key misunderstandings that often confuse beginners (for example, recognition is not mediator to parties but party to party)

A good coach needs to be an experienced practitioner of transformative mediation, since certain lessons are learned in the process of mediating. Facing the challenges of responding to parties in the moment builds empathy in the coach for the mistakes, struggles, and successes of the trainee. A coach needs to have an appreciation of the range of different personal styles mediators bring to their practice and be clear about the difference between style and orientation.

An elicitive style is best suited to coaching practitioners of transformative mediation. Since one of the most important differences between trans-

formative mediation and other orientations is the link between purpose and practice, coaches need to explore with mediators not just what they do but why they choose a particular intervention at a particular time. Since there is no one “correct response” and the “why” behind an action is known only to the actor, eliciting information from a mediator is critical to learning.

Several other qualities of a successful coach, while not specific to the transformative orientation, are worth noting. A coach needs to be able to give useful feedback, balancing supportive and critical statements and being sure suggestions are concrete and specific. A coach needs to be sensitive to issues of diversity and have experience dealing with these issues in mediation. A coach needs to be able and willing to talk about challenging issues like “isms,” helping mediators deal with subtle and not-so-subtle expressions of racism, sexism, etc. when they arise in mediation.

Video-Taped versus Live-Action Role Plays

The field test allowed us to assess the relative advantages and disadvantages of two formats for coaching. As we anticipated, both have unique value, and both present different challenges. By understanding these differences, coaches can use the format that matches their needs and resources.

Videotaped Role-Plays

Videotaped role-plays have the clear advantage of allowing mediators to watch the effect of their interventions (or non-interventions) on the parties’ behavior over time. The mediator can see him or herself: body language, tone, and gestures. The self-awareness that comes from watching one’s self mediate is extremely valuable. Videotaped role-plays have archival value. A mediator or program can keep the tapes and review them over time, allowing a mediator to track her or his own development. With permission of all involved, these videotapes can also be very useful in training new mediators.

Videotaped role-plays were conducted in two different ways. Most were taped with the coach watching and processed with the mediator immediately thereafter. One organization had trainees tape role-plays on one occasion and engage in the coaching process at a later date. This latter method allows flexibility and frees the coach from the need to be present at the taping. This also allows both mediator and coach to view the videotape at least once before the coaching session. The mediator may reflect on his or her own performance and consider what points he or she wishes to discuss at the session. The coach may make notes on the mediation prior to the coaching session, considering which issues to focus on. This review and reflection would be signifi-

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cantly aided if the video was made with a visual counter on the tape, so both mediator and coach can easily reference particular sections. Finally, making the videotape in advance allows the mediator to get used to the way he or she looked and sounded on tape.

The majority of the sessions were done using the former method, with coaching immediately following the videotaping of the role-play. While much of value emerged from these sessions, coaches agreed that giving immediate feedback was challenging. They realized in retrospect that they needed to take much more specific notes on what happened during the taping, so that they could focus the coaching on important points. Coaches also reported that it was difficult and time-consuming to find a particular section on the tape they wanted to discuss.

While videotaping has much to offer, clear disadvantages to this method are the cost, time and logistical issues involved. Hiring professionals to assist with the videotaping may cost more than some programs or individuals can afford. But the equipment and expertise they give greatly increase the quality of the tapes. Those videotaping without professional assistance face potential problems with the quality of the videotapes produced, especially in terms of the sound. Use of a high quality, omni-directional table microphone is very important. However, with experience and a good table microphone, tapes of reasonable quality can be produced.

Live Role-Plays.

The live role-plays had the distinct advantage of allowing mediators to gain immediate feedback from parties regarding the effect of their interventions. Even when trainees who role-played the parties were present for the viewing of the videotape, they reported that it was difficult to remember what was going on for them at a certain moment. It was much easier for the “parties” to reflect on what they experienced immediately after a live role-play. The live role-play also increased the learning for trainees in the role of parties. Discussing the effect of a mediator’s question or comment heightened awareness about the effect of even subtly manipulative behavior on a party’s own thinking and decision-making.

The live role-plays also provided mediators with the opportunity to try out different interventions immediately. When a coach stopped the action to discuss a missed opportunity or a directive move, the parties often repeated

their earlier interaction, giving the mediator a chance to experience the effect of an intervention more consistent with the transformative orientation.

The major disadvantage of live role-plays was the challenge involved in stopping and starting. It was hard for role players to stay in role, while a coach was discussing the action with the mediator. This was especially true, since those playing the roles of parties were also learners and eager to participate in the conversation between coach and mediator. It was difficult to resume an interaction where it was stopped or to go back and repeat an interaction. Even when role players were able to do this successfully, their reactions were undoubtedly influenced by the discussion they had just witnessed.

Session Guidelines

The experience of the field tests led us to develop more specific guidelines for a coach's own preparation process, setting the stage for the coaching process, providing feedback "in the moment," and concluding coaching sessions.

Preparation for the Coach

In preparing for a coaching session, a coach should review the basics of the transformative orientation. Ideally, the coach will be familiar with the specific training material used with those he or she is to coach. Similarly, the coach should review the four steps of the coaching process: context-purpose-effect-linkage to principles and premises. Handouts and audio-visual aids for reviewing the coaching process with trainees need to be prepared or gathered. Finally, the coach should select role-plays that are appropriate for participants.

Depending on the context for the particular coaching session, a coach needs to be ready to deal with a range of responses from those being coached. Participants are usually in different places in regard to their comfort with, and commitment to, the transformative orientation. The coaching process is extremely useful in helping a mediator clarify his or her understanding of the orientation and interest in using it. But participants may be uncomfortable with the feedback given and may challenge the coach's comments.

Preparation of Participants

Coaching sessions will most often begin with an overview of the premises of transformative mediation and the principles that derive from them. The coaching framework and context-purpose-effect-linkage should be discussed. Using handouts, overhead transparencies or other audio-visual aids may assist

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in the participants' understanding. Several concrete examples will help participants see how the process plays out in an interaction. A coach may also want to talk about the differences between style and orientation, and explain why an elicitive approach fits within this framework.

If the role-plays will be live, the coach should discuss the range of interventions he or she will use. If the session is being videotaped, the coach should seek the mediator's input on whether or not to have observers at the coaching session. Those in the role of parties are generally present at the coaching session.

The coach should acknowledge his or her respect for the different ways people receive feedback and engage in discussion about the mediator's preferences. That discussion leads easily into one that allows the coach to note the importance of respecting the parties' differences and not avoiding challenging issues that may surface during a session.

Setting up the Role-Plays

As the time to conduct the role-play approaches, the coach should be sure that each participant is clear about the role he or she will play: mediator, party or observer. Since coaching focuses on the mediator, those in the role of observers or parties should be encouraged to identify their own objectives for the session, and also to reflect on their learning at the end of the session and/or in a journal. This will allow the coach to maintain a focus on the mediator. The coach should also clarify the extent to which observers or parties will participate in giving feedback or making suggestions. Especially with trainees new to the orientation, feedback and suggestions will come primarily from the coach.

Similarly, the coach needs to clarify who will be able to stop the action. Limiting that option to only the coach or the mediator will assist in preserving the focus of the coaching session. However, there may be times, especially with new trainees or less experienced mediators, when opening that up may enhance the learning of observers or parties. If the coach is working with a live role-play, it is best to keep the discussion at stops to a minimum and save longer discussions until the end of the role-play. Without this guideline, trainees are apt to spend more time talking about mediating than doing it.

Before the role-play begins (or before the videotape is viewed), the coach should engage the mediator in a discussion about his or her own learn-

ing — places where he or she is comfortable, where he or she is feeling challenged, and what he or she would like to focus on. Whether the role-play is live or taped, the coach should be explicit about when he or she will stop the action. These stoppages should be expressed as “learning opportunities” — circumstances in which the mediator’s intervention seemed particularly helpful, where the coach has questions about the suitability of the intervention, or where the situation lends itself to a discussion about the previously-determined area of the mediator’s desired focus. The coach should also let the mediator know that he or she can stop the action or tape.

In the Moment

The coaching process works best when the coach uses a consistent process.

- Start by asking the mediator about context: What party behavior was he or she responding to? What did he or she see?
- Ask about the reason for the intervention.
- Ask about effect: How did the parties respond? Parties may be asked to comment briefly.
- Ask the mediator to reflect on the linkage of the behavior to the principles and premises of the transformative orientation.
- If the intervention was inconsistent with the principles, elicit other possible actions by asking, “what else might you have done?” This will engage the mediator in a discussion of alternatives, allowing the coach to build on those and suggest others.

Session Wrap-Up/Closing

At the end of the coaching session, the coach should summarize the themes that emerged during the session. It is important to summarize what a mediator did well, as well as make specific suggestions of areas that need further work. At this time, observers and parties are invited into a general discussion about their own learning. The coach may also want to highlight features of the transformative orientation that relate to what happened during the role-play.

Range of Uses of the Coaching Process

The development and field-testing of this coaching process focused on coaching as a tool for individual development. The field tests confirmed the usefulness of the process as an opportunity for focused, one-on-one feedback. This was true whether the role-plays were live or videotaped. It is also clear

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that a series of linked coaching sessions provides the opportunity to work with a mediator on weaker areas and to track the progress of that individual. Videotaped role-plays also allow an individual to track his or her own development over time.

In the course of our work on this project, it became clear that this process is useful in a variety of ways. It is already being used in training new mediators. It is proving to be a valuable tool for processing simulations presented in front of a large group as well as for working with small group role-play practices. Its consistent use throughout a training event emphasizes the link between practice and purpose and keeps mediators appropriately focused on the premises that underlie the choices they make.

We anticipate that this process can easily be used in several other ways as well. It can be a valuable tool for providing feedback after actual mediations, as a framework for either an observer or co-mediators discussing a just-completed mediation. It also can be used as a discussion tool when groups of mediators gather to discuss cases they have mediated.

Finally, incorporation of this coaching process into the standard mediator development practices of an agency or organization has implications for that agency or organization, in terms of both training and assessment structures and resource allocation. While that discussion is beyond the scope of this paper, there are important considerations that should be thoughtfully addressed.

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