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Introduction

About This Journal

This Accreditation Journal is a joint learning resource between a trainee mediator starting out on their first live cases and a supervisor with Practitioner experience. Both contract to work with each other to complete the Practitioner level training for MII Family mediation accreditation.

The Journal is composed of five areas of competence (A to E) which are broken down into 38 sections, all of which need to be completed by both the trainee and the supervisor.

Contract with Your Supervisor

Before you commence work on the Journal, you will need to sign a contract with a supervisor who has at least three years family mediation experience and is an accredited practitioner mediator with the MII. The contract should include the following:

- Starting and finishing dates
- Who is responsible for generating cases and for the sessions
- The fees to be paid to the supervisor
- What happens if either gets sick.

Together with the supervisor, you complete the Accreditation Journal by working through each section independently in whatever order you choose. This can be done in two stages:

- During the *first stage*, you write down on your own a self-assessment of your level of competency in each section after reflecting on and analysing your mediation case experience'
- At the *second stage*, the supervisor discusses these self-assessments with you, the strategies and process skills you used, the ethical and role dilemmas that arose for you together with the learning issues.

Both you and the supervisor may go through this learning process several times before you arrive at a satisfactory competency level sufficient for accreditation. The open space on the right hand side of each page is for you to record your final learning comments. Ultimately every section will have written comments as competency will need to be established under each heading.

Examples of what is meant by a section are A5 or C3.2.4 or D2. But all the sub-headings listed in each section act as prompts and are only guidelines for discussion and reflection between you as mediator and the supervisor.

Areas of Competence

Mediation is an interdisciplinary profession requiring a range of knowledge, skills and attitudes. It is difficult to state everything a family mediator needs to know but this Journal sets out a number of minimum standards in five areas.

- A. Family mediation knowledge:** Every mediator needs a thorough grasp of the substantive knowledge of the mediation arena in which they are working. There has been much new family law passed in recent years in advance of divorce becoming available and this forms an important part of this section together with a basic understanding of the mediation process.
- B. Values:** Empowerment and impartiality are among the core values that underpin the mediation effort. Each mediator will need to internalise these values for themselves and imbue their practice with appropriate attitudes.
- C. Process skills:** As the facilitator of the mediation process, you will need lots of practice to enhance and perfect your skills for each stage of the process. This is the longest section of the Journal highlighting its importance for professional development.
- D. Professional responsibility:** Every profession has a code of practice that needs to be internalised by practitioners. This section places an emphasis on identifying the ethical issues that arise in your case work.
- E. Making the transition:** An opportunity for you to reflect on the journey you have taken since starting out from your profession of origin. It encourages you to identify key moments when the shift was made.

Ratings of Competence

A scale of four points (1 to 4) is used to assess the degree of skill and level of competence reached in each section. In practising any new skill or behaviour, you usually pass through four learning stages.

Ratings Scale			
1	2	3	4
UNCONSCIOUS INCOMPETENCE	CONSCIOUS INCOMPETENCE	CONSCIOUS COMPETENCE	UNCONSCIOUS COMPETENCE

1. Unconscious incompetence: "I don't know that I don't know"

At first you will not be aware of the skill or simply you have not yet used it. You need to identify and name the actual skill and grasp the elements that make up the skill.

2. Conscious incompetence: “I know that I don’t know”

You then start actively using the skill. You are bound to feel somewhat self-conscious and clumsy about the process as you stumble with words, gestures and style of delivery. Learning a skill like paraphrasing can be difficult and demanding. Persist with it. You are bound to encounter some internal resistance to using a new skill because deeply rooted habits must be overcome.

3. Conscious competence: “I work at what I don’t know”

You are becoming skilled in the new behaviour even though you might feel uncomfortable using it. You are conscious of what you are doing well and what is not yet effective enough. Through practice and repetition, you gradually internalise the skill.

4. Unconscious competence: “I don’t have to think about it”

You have reached the point where the skills are so completely integrated into your professional style and pattern of behaviour that you are no longer aware of using them. Yet beware of becoming too comfortable with your patterned style. There is always continuing room for self-improvement and skill sharpening.

As a guide, you will need to reach a ratings level of 3 to 4 in each section throughout the Journal in order to be recommended by the supervisor. You must demonstrate in the Journal that you have reached rating 4 by giving examples of your mediation work and the nature of the problems dealt with in the sessions. Your supervisor will be able to help you if you are not sure whether you are over-scoring yourself or under-scoring.

If the supervisor is not able to recommend you for accreditation, then together you identify a number of competencies or areas for further professional development and build a new work programme around these.

Section A: Family Mediation Knowledge

A1. MEDIATION AND CONFLICT RESOLUTION

Trainee's self-assessment	1 2 3 4
Supervisor's assessment	1 2 3 4

Knowledge, understanding and familiarity with:

- The fundamentals of family mediation
- Position v interest based negotiation
- Negotiation dynamics, concessions and the concept of BATNA
- Conflict escalation, stalemate and impasse
- History and development of mediation in Ireland

A2. PSYCHOLOGY OF ADULT, CHILD AND FAMILY DEVELOPMENT

Trainee's self-assessment	1 2 3 4
Supervisor's assessment	1 2 3 4

Knowledge, understand and familiarity with:

- Child development, adjustment and family process
- Attachment theory and separation experience
- Children's needs, sense of time
- Stages of adult development and life cycle changes
- Couple process and dynamics
- Adult addictions (alcohol, drugs, gambling)
- Special needs of children at risk, spousal and child abuse
- Crisis theory

A3. SEPARATION AND DIVORCE PROCESS

Trainee's self-assessment	1 2 3 4
Supervisor's assessment	1 2 3 4

Knowledge, understanding and familiarity with:

- The dynamics of family conflict and separation impasse
- Family transition from intact family to two households
- Joint parenting agreements
- The needs of grandparents and the extended family
- Remarriage, post separation/divorce needs and issues

A4. FAMILY LAW AND SOCIAL POLICY IN IRELAND

Trainee's self-assessment 1 2 3 4
Supervisor's assessment 1 2 3 4

Knowledge, understanding and familiarity with:

- Judicial Separation Act (1989), Family Law Act (1995) and current divorce/family law
- Current separation and divorce procedures in Ireland
- Structure of Irish courts and court procedure
- Child Care Act, domestic violence and child abuse policy
- Irish social policy on family

A5. FAMILY FINANCES

Trainee's self-assessment 1 2 3 4
Supervisor's assessment 1 2 3 4

Knowledge, understanding and familiarity with:

- Family budgets, maintenance and child support
- Mortgages, property, assets, debts and business interests
- Irish income tax, housing and social welfare system
- Life policies, pensions and savings

A6. COMMUNITY RESOURCES

Trainee's self-assessment 1 2 3 4
Supervisor's assessment 1 2 3 4

Knowledge, understanding and familiarity with:

- Local social, legal and family support services
- Local social situation and economic circumstances

Section B: Values in Action

B1. FUNDAMENTAL PRINCIPLES

Trainee's self-assessment 1 2 3 4
Supervisor's assessment 1 2 3 4

- Voluntary participation in the process
- Neutrality/impartiality as between the participants
- Procedural flexibility
- Full disclosure of information
- Confidentiality
- Respect between participants.

B2. ETHICAL PRACTICE

Trainee's self-assessment 1 2 3 4
Supervisor's assessment 1 2 3 4

- Even-handedness with the participants
- Respecting each participant's point of view
- Empowerment of participants to make their own decisions
- Not imposing own views
- Process control and content control
- Maintaining own honesty and integrity

B3. EQUAL OPPORTUNITIES

Trainee's self-assessment 1 2 3 4
Supervisor's assessment 1 2 3 4

- Creating equal and open space that respects age, gender,
- religious affiliation, ethnic identity, colour, physical disability or marital status
- Tolerance for differences
- Awareness of own bias and prejudice

Section C: Mediation Process Skills

C1 THE PRE-MEDIATION PHASE

C1.1 Intake

Trainee's self-assessment	1	2	3	4
Supervisor's assessment	1	2	3	4

- Handling initial contact procedure with parties
- Assessing whether mediation is appropriate
- Obtaining accurate initial information from/about parties
- Explaining what family mediation is about and issues covered
- Clarifying fee payments or agency policy

C1.2 Engaging

Trainee's self-assessment	1	2	3	4
Supervisor's assessment	1	2	3	4

- Getting the parties to the table
- Making arrangements for first appointment
- Ensuring parties have knowledge of ground rules
- Screening for child or spousal abuse (if appropriate)

C2 THE MEDIATION PHASE

Process Stage 1: The Introductory Session

C2.1.1 Setting up the Process

Trainee's self-assessment	1	2	3	4
Supervisor's assessment	1	2	3	4

- Introducing yourself, establishing trust and rapport
- Creating a calm and informal working atmosphere
- Explaining structure, process and roles
- Explaining the ground rules of confidentiality etc
- Agreeing the contract to commence mediation

C2.1.2 Clarifying whether Parties are Separating

Trainee's self-assessment	1	2	3	4
Supervisor's assessment	1	2	3	4

- Acknowledging the mutual task of ending the relationship
- Making a clear contract and clear boundaries with parties

Process Stage 2: Exploring the Issues

C2.2.1 Story Telling

- Enabling parties to express their concerns and unfold their story
- Active listening for feelings, hurts, blockages and issues
- Accurate paraphrasing of anger, emotions and issues
- Acknowledging feelings of loss around ending the relationship
- Validating all efforts and offering appropriate support

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

C2.2.2 Questioning

- Asking questions in a neutral way
- Knowledge of different methods of questioning
- Appropriate timing and use of questions

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

C2.2.3 Facilitating Communication

- Clarifying perceptions of each other
- Picking up misunderstandings and new information
- Summarising key issues and progress made
- Facilitating direct communication between the parties

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

C2.2.4 Structuring

- Building on the positives and maintaining the flow
- Managing the pace and content
- Focusing on what is relevant to the mediation process
- Identifying, framing and ordering the issues in dispute
- Identifying the non-negotiable issues and managing them
- Encouraging and developing mutual problem definition
- Time management of each session

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

C2.2.5 Managing Conflict

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

- Allowing each to speak without interruption
- Controlling verbal attacks, intimidation and bullying
- Defusing tension and using a structured interview
- Estimating the style and level of conflict
- Judging whether to control conflict or allow it to be expressed
- Agreeing a control strategy with parties
- Managing walk-outs, emotional eruptions and threats
- Experiencing a successful management of a high conflict session

C2 2.6 Power Balancing

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

- Recognising power imbalance
- Identifying the source of imbalance
- Using empowerment strategies appropriately
- Ensuring parties are properly informed of rights and options
- Ensuring parties have access to whatever legal/financial information they need to make informed decisions
- Experiencing a successful intervention

Process stage 3: Problem Solving

C2.3.1 Generating Options

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

- Focusing on the future and not on the past
- Engendering creative ideas/options from the parties
- Contributing own ideas without pressure
- Restating differences positively

C2.3.2 Joint Problem Solving

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

- Avoiding premature decision on any one option
- Exploring advantages and disadvantages of each option
- Examining short, medium and long term consequences

- Actively assisting and structuring their negotiations
- Focusing on common ground
- Clarifying and summarising positions reached

C2.3.3 Managing Impasse

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

- Recognising the difference between impasse and disagreement
- Identifying the emotional blockage or gap between the parties
- Devising an appropriate strategy to overcome impasse
- Identifying the appropriateness of using shuttle mediation
- Knowing the steps to follow for private meetings/caucusing
- Managing a shuttle mediation process and return to joint session

Process stage 4: Securing Agreement

(C2) 4.1 Getting Agreement

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

- Handling outstanding issues and areas of disagreement
- Clarifying what has been agreed
- Reality testing: "What if. . ."
- Agreeing the draft and precise wording of an agreement
- Working through and adapting standard clauses of agreement

C2.4.2 Implementing the Agreement

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

- Discussing how parties will implement the agreement
- Examining options for making it legally binding
- Ensuring there are review clauses for long term issues
- Assisting consultation with children/family members
- Writing up the agreement and distributing it

C2.4.3 Managing non-agreement

Trainee's self-assessment 1 2 3 4
 Supervisor's assessment 1 2 3 4

- Planning action (if any) where parties come to no agreement
- Withdrawing your services as a mediator

5. Managing Specific Agenda Sessions

<p>C2.5.1 The financial and property issues</p> <ul style="list-style-type: none"> <input type="checkbox"/> Gathering data for budgets and family audit <input type="checkbox"/> Exploring family home options and dividing of assets <input type="checkbox"/> Identifying where there is a need for expert legal and financial information to explore pensions, life policies, taxation options, debt management, succession rights and wills 	<p>Trainee's self-assessment 1 2 3 4</p> <p>Supervisor's assessment 1 2 3 4</p>
<p>C2.5.2 The session with children/family (<i>if appropriate</i>)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Clarifying who is being met <ol style="list-style-type: none"> 1. seeing children along or with siblings 2. seeing the whole family in a meeting(s) 3. involving step-parents or grandparents <input type="checkbox"/> Having a clear reason for inclusion or holding family meeting <input type="checkbox"/> Clarifying terms/consent with both parents and children <input type="checkbox"/> Planning format and age appropriate methods for meeting children <input type="checkbox"/> Ability to communicate with different age groups of children <input type="checkbox"/> Ability to handle group and family process/conflict <input type="checkbox"/> Ability to render the experience helpful 	<p>Trainee's self-assessment 1 2 3 4</p> <p>Supervisor's assessment 1 2 3 4</p>
<p>C2.5.3 The parenting arrangements</p> <ul style="list-style-type: none"> <input type="checkbox"/> Gathering information on future needs of children <input type="checkbox"/> Exploring possible joint parenting arrangements <input type="checkbox"/> Enabling negotiations over children overnighting with non-custodial parent <input type="checkbox"/> Getting agreement on a joint parenting schedule or visitation arrangements 	<p>Trainee's self-assessment 1 2 3 4</p> <p>Supervisor's assessment 1 2 3 4</p>
<p>C2.5.4 The family with special interests (<i>if appropriate</i>)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Gathering information on the special issues that require discussion <ol style="list-style-type: none"> 1. addiction (alcohol, drugs, gambling etc) 2. business or farm or special family interests 3. religious issues, raising of children in a particular faith <input type="checkbox"/> Having a clear reason for including these issues in the agreement 	<p>Trainee's self-assessment 1 2 3 4</p> <p>Supervisor's assessment 1 2 3 4</p>

- Ability to handle the discussion and render the experience helpful

C.3 THE POST-MEDIATION PHASE

- Handling follow up and requests for further consultation
- Managing requests for add-ons and renegotiation
- Offering review meetings and respecting the original agreement
- Managing requests for additional copies of the agreement

Trainee's self-assessment	1	2	3	4
Supervisor's assessment	1	2	3	4

Section D: Professional Responsibility and Practice

D1. THE MEDIATOR'S CODE OF PRACTICE

Trainee's self-assessment	1 2 3 4
Supervisor's assessment	1 2 3 4

- Demonstrating an understanding of the Code of Practice
- Discussion of at least three ethical issues that arose
- Awareness of how to recognise an ethical dilemma
- Experience of managing an ethical dilemma in a session

D2. SELF-AWARENESS

Trainee's self-assessment	1 2 3 4
Supervisor's assessment	1 2 3 4

- Demonstrates an active ongoing self-monitoring
- Asking for support when needed
- Ability to take responsibility and act as a professional
- Acknowledge his/her own areas of personal difficulty
- Understands his/her own personal motivation and values
- Awareness of own working habits, routines and patterns

D3. CONTINUING PROFESSIONAL DEVELOPMENT

Trainee's self-assessment	1 2 3 4
Supervisor's assessment	1 2 3 4

- Readiness to take responsibility for own learning
- Ability to adapt and change and take feedback
- Identifying own training needs and areas for self-improvement
- Taking up and investing in training opportunities
- Willingness to spend time on focused reading
- Examples of applying theory to practice

D4. PROFESSIONAL RELATIONSHIPS

Trainee's self-assessment	1 2 3 4
Supervisor's assessment	1 2 3 4

- Collaborates well with colleagues or in co-mediation
- Ability to make good use of supervision, consultation and feedback

- Contributes to meetings, teams and mediation agencies
- Educating other professionals/agencies about mediation
- Ability to communicate to others the difference between mediation and other professional areas of counselling, therapy and the law

D5. MANAGING CONFLICTS OF INTEREST

Trainee's self-assessment	1	2	3	4
Supervisor's assessment	1	2	3	4

- Working ethically as a mediator and maintaining integrity
- Managing potential conflicts of interest
 1. private practice (fees) v working in an agency
 2. profession of origin (law, counsellor) v working as a mediator
 3. friendship/social role v impartiality as a mediator
- not imposing own religious beliefs, values, politics

D6. SELF-ACCOUNTABILITY

Trainee's self-assessment	1	2	3	4
Supervisor's assessment	1	2	3	4

- Maintains good case notes on each case
- Keeping accurate, clear records and regularly updates them

Section E: Transition from Profession of Origin

E1. AWARENESS OF PROFESSION OF ORIGIN

Trainee's self-assessment	1	2	3	4
Supervisor's assessment	1	2	3	4

- Awareness of contribution of own profession of origin to mediation
- How your profession of origin has helped you to be a good mediator
- Identifying competencies you have brought into your mediation practice

E2. KEY MOMENTS IN THE TRANSITION

Trainee's self-assessment	1	2	3	4
Supervisor's assessment	1	2	3	4

- Awareness of impact on self of internalising the mediator role
- Key moments or cases where the shift was made
- Significant points in the journey to being a mediator
- Did dilemmas or confusions arise between the old professional pattern and the new requirements of being a mediator?
- Sharing reflections on having arrived to a quality level of mediator competence

Summary of Supervisor's Ratings for Trainee Mediator

This page is to help you bring together all the ratings in the five areas of competency.

In each ratings box, put the number of 1, 2, 3, and 4 ratings scored in the supervisor's assessment in each of the five areas. For example, if you scored 4 x rating 3 and 2 x rating 4 in the first area of Family Mediation Knowledge, then you would put the number 4 in box A3 and the number 2 in box A4.

	Five Competency Areas	1	2	3	4	Number of sub-competencies in each area
A	Family Mediation Knowledge					6
B	Values in Action					3
C	Mediation Process Skills					21
D	Professional Responsibility and Practice					6
E	Transition from Profession of Origin					2
	Total of ratings					38