**Co-Mediation Guidelines**

**OVERVIEW**

Co-mediation is a process where two mediators work as a team to resolve a case. Co-mediation can be extremely fun and satisfying, but additional planning and coordination is necessary when working with another person to mediate a case. The following is a list of recommendations for before, during, and after a co-mediation.

**PREPARATION IN ADVANCE OF MEDIATION**

1. Connect with your co-mediator by phone prior to contacting the parties. Discuss your personal mediation styles, your expectations for the process, and any necessary pre-mediation work.
2. Send an e-mail to all counsel, which introduces both mediators and sets the expectation for how the mediation process will proceed.
3. If appropriate, schedule an initial joint telephone call with counsel prior to the mediation session. If necessary, schedule separate calls with counsel prior to the session. When conducting these calls, it is often helpful for co-mediators to speak briefly prior to the call to set an agenda, and to conduct a short debrief discussion once the call is complete.
4. Review any pre-mediation statements submitted by the parties. If necessary, schedule a time to talk with your co-mediator about the pre-mediation statements prior to the mediation session.

**MEDIATION SESSION**

1. Plan to arrive 30 to 60 minutes early to speak with your co-mediator and to prepare for the session.
2. When co-mediating, it is important that the mediators give the opening statement jointly, to encourage the parties to look to both mediators throughout the process. Decide how to divide your opening statement or remarks at beginning of the mediation.
3. Discuss with your co-mediator how and when to caucus. Develop a signal to indicate to one another that you believe it is time for a caucus.
4. Check-in with one another frequently during the mediation. You can do this by asking your co-mediator if he/she has anything they would like to add, and by making regular eye contact with your co-mediator.
5. Role modeling is important in the co-mediation context. Co-mediators are demonstrating to mediation participants how to work with one another. When you disagree with an intervention that your co-mediator has taken, rather than openly disagree or interrupt, request a brief caucus with your co-mediator to discuss their strategy. It is also good practice to consult with one another before making any important decisions or definitive statements. Take time to talk about your strategy during breaks or while walking between caucus rooms.
6. If no settlement is reached at the session, discuss with your co-mediator how and when to end the mediation session.

**AFTER THE MEDIATION**

1. If a settlement is not reached, develop a follow-up plan with your co-mediator. This may include a series of follow-up calls and e-mails.
2. Debrief the session with your co-mediator. One of the tremendous benefits of co-mediation is the opportunity to give and receive real-time feedback on your mediation skills. Take advantage of this opportunity and give one another feedback regarding your work.
3. Discuss the case and your respective observations regarding the parties’ positions. Debriefing a case substantively can be extremely helpful in generating ideas for future sessions or to resolve an unresolved case.
4. Complete your co-mediation evaluation forms.