



# CONFLICT COMMUNICATION & MEDIATION SYSTEMS

**Southern California Family Mediation**

**[DependencyMediation.org](http://DependencyMediation.org)**

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# Human Evolution of Conflict

First there was power



# Human Evolution of Conflict

## Next there were rights



# Human Evolution of Conflict

Now we seek to understand interests



# Assisted Dispute Resolution (ADR)

- Litigation
- Arbitration
- Mediation





**So What.**

**Why So Special?**



# Mediation is Voluntary

- Arbitration vs Mediation = Who decides?
  - Don't be fooled. They front.



# Mediation is Voluntary

- *How many legs does a dog have if you call his tail a leg?*
- Non-recommending = Mediation
- Decision imposed = Arbitration





# Southern California Family Mediation

- Founded 2014
- 501c3
- Volunteer mediators
- What we do - types of mediation
- Conflict Communication & Mediation
- More information: [DependencyMediation.org](http://DependencyMediation.org)



# Mediation is Voluntary

- *Ask: If we don't come to an agreement, will you be making an order or recommending to the court?*

Answer: Calling his tail a leg doesn't make it a leg. Four.



# Mediators Are The Good News

- Mediation happens for you,
  - not to you.



# Mediators are the medicine

- Students of conflict communication
- Teachers
- Guides
- Coaches
- Professional negotiators
  
- Southern California Family Mediation Inc.
  - Volunteer-based mediation program, founded, 2014
  - 501c3, 40-volunteer mediators, 2019



# Assisted Negotiation ... DIY

- Good negotiators:
  - Seek to understand
    - Slow yo roll, gangsta
  - Listen even when it's difficult
    - W.A.I.T.





# DIY

- Self-regulate
- Self-soothe
  - *Go to bed angry.*
  - Take a 20-minute timeout
  - *Walk away.*
- Mindfulness
  - *Practice*



# DIY

- Impulse control
- The space between action and reaction
- *“That’s just how I am.”*



# DIY

- What you can control
- What you can't control
  
- Take responsibility for the conversation.



# the conversation

- Communication is complex.
- We all need a mediator sometimes
- We can all be mediators



# Stay Future Focused





# DIY Summary

- Slow your roll
- W.A.I.T.
- Recognize that communication is complex.
- Walk away.
- Stay future focused
  - *You are more important than winning.*
- Pay it forward. Be a mediator.



# **The co-optimization of conflict engagement**

**Those who desire to excel should endeavor in things  
that are in themselves most excellent. - Epictitus**



# Next Gen Mediation

- Mediation offers significant & distinct advantages over arbitration.
- The mislabeling of arbitration as mediation is a significant cause of the lack of public demand for mediation.
- Therefore: Society should make a concerted effort to distinguish arbitration from mediation.



# Thesis

- “Omni-partial” mediation is more authentic & effective than “neutral” or impartial mediation.
  - Emphasizes bias management.
  - The standard is the same, fairness.



# Concept

- Dispute Dysfunction Syndrome Spectrum





# Thesis

- The courts, when augmented by mediation, deliver better peace & justice.



# Doctrine of *Rapid Mediation*

- What can be achieved through mediation can be achieved faster, in relation to the skill level of the mediator.
- All else being equal, faster is better.
- Faster provides room for transformation.



# Southern California Family Mediation

- Thank you for your time.
- Questions ??

**More information:**  
**[DependencyMediation.org](http://DependencyMediation.org)**

