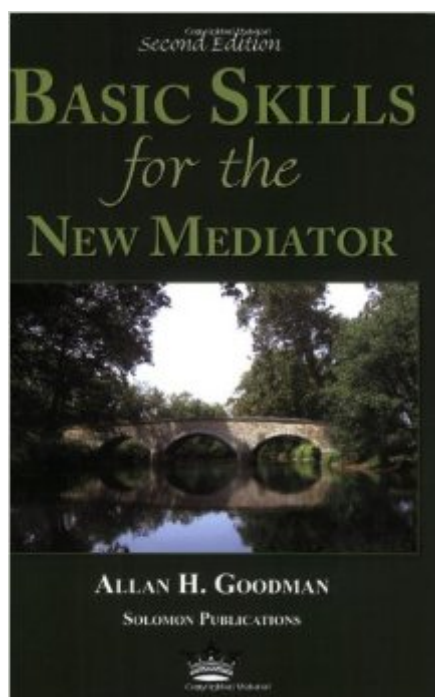


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# Basic Skills For The New Mediator, Second Edition



## Synopsis

This book provides a detailed overview of mediation, from the premediation conference through all stages of the mediation session. It guides the new mediator through the mediation process by answering the one hundred questions most frequently asked by new mediators. The book has been used successfully for self-instruction and as a training manual. Experienced mediators and attorneys who represent clients in mediation will also find this book extremely useful. The Appendix 'Everything You Never Wanted to Know About the Rules of Evidence' is especially valuable for the non-attorney mediator, who must often deal with the evidentiary vocabulary of the legal profession. You will learn to establish your authority as a mediator, schedule the mediation session, deliver the mediator's opening statement, prioritise issues, preside during joint sessions, conduct private caucuses, overcome impasses, identify 'hidden agenda' and 'throwaway' items, deal with parties who lack settlement authority, and aid parties to achieve a viable settlement.

## Book Information

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## Customer Reviews

As a new mediator, I was looking for a book that would describe mediation skills in clear, non-legal language. This book is it! The question-and-answer format is a very effective teaching tool that walks you through the mediation process. When I think of a question that I would want to ask, it seems that the author has anticipated it and there it is. Mr. Goodman is obviously someone with extensive experience, both as a trainer and a mediator. I am a retired teacher and I found particularly valuable the appendix "Everything You Never Wanted to Know About the Rules of

Evidence." The author offers an interesting explanation for including this information - that a mediator should have a basic knowledge of the concepts of evidence because we all (not just lawyers) apply these principles in every day life. This appendix alone is worth the price of the book. I also purchased the companion volume, *Basic Skills for the New Arbitrator*, so I could gain an understanding of arbitration and broaden my knowledge of the increasingly popular field of alternative dispute resolution. I found that book equally easy to understand and very valuable.

Both of Allan Goodman's books, *BASIC SKILLS FOR THE NEW MEDIATOR* and *BASIC SKILLS FOR THE NEW ARBITRATOR*, deserve to be read and re-read by every ADR professional and every advisor to parties in dispute before he or she enters the session. As a practicing mediator, arbitrator and ADR trainer, I know I do, and it gives me the presence to relax and "enjoy" the session, because I know I will be giving the best process skills of ADR to the parties and their representatives. Concise, readily assimilated answers to some of the most perplexing problems faced by ADR neutrals are presented at each stage of the mediation and arbitration process. I would further recommend the appropriate book be given to the disputing parties to assist them in knowledgeable decision-making and a successful resolution.

Mediation is rapidly becoming the most popular process in the expanding alternative dispute resolution arsenal. Clearly the speed, economy and non-binding aspects are appealing in an otherwise formal and adversarial environment. But less formal does not imply free form. The parties must remain confident that the mediator is knowledgeable of the issues and in control of the process. Allan H. Goodman's new book on the *Basic Skills for the New Mediator* can best be described as the essential book on mediation. Most books on this subject tend to deal with the art form called negotiation and all the various strategies to be considered by the facilitator in this process. Allan Goodman has provided here insightful and sometimes anecdotal suggestions as to how a new mediator should approach this whole process. In essence, he has left to each mediator his or her own persuasive talents as to how best to resolve the dispute while more importantly giving to the mediator the tools whereby the parties have confidence in the process and respect for the mediator. The question and answer format used here is unique as it anticipates the chronology likely to be experienced by the mediator while dispensing advice appropriate to the issue. While the veteran mediator would be well advised to use this book as a desk top reference, the new mediator will find this book essential.

I am a construction lawyer in the Washington, D.C. area and found Judge Goodman's book to be just the thing in giving me a primer on mediation approaches. It is organized extremely well, is easy to read, and gave me lots of help as I prepared for my first mediation. The format of questions and answers is perfect for this subject. The only thing I would like to see is a second volume for advanced mediation, since Judge Goodman has much to offer.

Thirty years ago I began the practice of law by serving as a Law Clerk to a federal judge. In retrospect, after three decades as a civil litigator, the most important lesson that I learned back then was to think like a Judge when acting as an Advocate...to get inside the Judge's head, gameplan a winning scenario, and present my case accordingly. Allan Goodman's seminal work ostensibly is a handbook for novice Mediators, providing checklists, advice and guidance for the newly minted specialist in Alternative Disputes Resolution. As a practical matter, it is an indispensable tool for any advocate - lawyer or lay - in planning a successful Mediation and avoiding an expensive, lengthy courtroom battle. Judge Goodman provides the requisite virtual roadmap through any Mediator's head.

If you want to be a mediator, you will have to take an exhausting training in just about any jurisdiction. You will be required to take at least 40 hours of training. In fact, before beginning the training, my best advice for you is to get a copy of this book, which can be read in four hours or less, and I am positively sure that you will have a considerable edge over your training classmates. They will all wonder if you came to the training with prior experience. Not only you will feel more confident in knowing the process, but you will also get good suggestions from the author as to how to conduct particular matters. I think that when you want to try something new, whatever it may be, e.g., table chess, judo, dog breeding, etc., you need a beginners guide and lots of advice from knowledgeable people. This is precisely what this book does with respect to mediation.

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