FINAL REPORT

ONLINE DIALOGUE ON CONFLICT/SITUATION ASSESSMENTS

May 2004

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EXECUTIVE SUMMARY

The fundamental aim of the Online Dialogue on Conflict/Situation Assessment was to simultaneously advance the field's experience and thinking in two areas: the use of online tools and the practice of conflict/situation assessment.

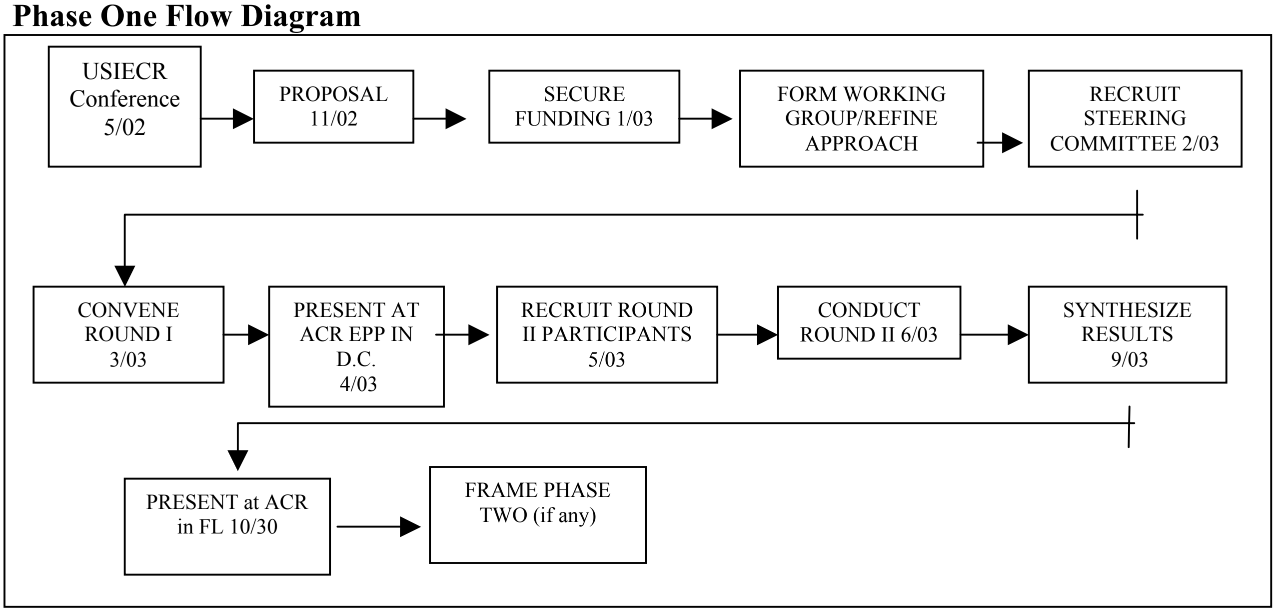
The impetus for the 2003 Online Dialogue on Conflict/Situation Assessment project evolved out of two roundtable discussions held during the 2002 Conference on Environmental Conflict Resolution, hosted by the U. S. Institute for Environmental Conflict Resolution (U.S. Institute) in Tucson, Arizona. One of these roundtables discussed the theory and practice of conflict/situation assessments; the other talked about the use of cutting-edge online technology to improve environmental and public policy dispute resolution and policy formulation.

The Online Dialogue was a collaborative effort by a Project Team that consisted of Jonathan Raab and Colin Rule of the Online Public Disputes Project of Raab Associates, Ltd.; Scott McCreary, Xantha Bruso, and Margaret Schneider of CONCUR, Inc.; and Mike Eng and Larry Fisher from the U. S. Institute for Environmental Conflict Resolution. Project funders included the Hewlett Foundation, the U.S. Environmental Protection Agency and the U.S. Department of the Interior. The Project Team also worked with a Steering Committee composed of six leading practitioners and agency representatives. The original concept for the project design included two phases:

- **Phase One**, which would include **two rounds** of online dialogue, was envisioned as an initial window for experimentation, exploration and initial conversation.
- **Phase Two** would use the results of Phase One and focus on articulating and further refining "best practices" related to conflict or situation assessments, and possibly online tools as well.

To date, only Phase One has been completed, which is the focus of this report.

Phase One Flow Diagram



Round I of the Online Dialogue took place March 24-April 4, 2003 and focused on participants' definition of conflict/situation assessments, how assessments are used, when they are needed, and how context shapes the assessment process. Round I was also designed as an opportunity to test the technology and refine our vision for the online discussions. In addition, the Project Team hoped to use this initial discussion to identify thoughtful questions for Round II.

ROUND 1 QUESTIONS

1. ***What would be an appropriate operational definition of a conflict assessment?***
2. ***How do you use conflict assessments?***
3. ***Under what circumstances do you feel conflict/situation assessments are a) essential, b) optional, and c) counter-productive?***
4. ***What questions would you like to see posed in Round II?***

Fifteen participants were recruited based on criteria developed by the Project Team, with suggestions from the Steering Committee and project sponsors. During Round I, participants contributed 154 posts in an asynchronous online discussion related to conflict or situation assessments.[1] On average, participants contributed seven posts each, and according to our surveys, spent about one-to-two hours-per-week involved in the Dialogue.

Building on the generally successful experience gained from Round I, **Round II** was conducted from June 2-20, 2003. Round II engaged over 100 individuals in an online discussion either as “active participants” (61) or as “observers” (41). Overall, about 38 of the 61 active participants actually posted threads or took part in the synchronous (i.e. live, real-time) events. The active participants in Round II spent approximately one-to-two hours-per-week on the Dialogue, and about a third joined at least one of the three synchronous events. Participants in Round II contributed 125 posts in 35 threads over the course of the discussion.

ROUND II QUESTIONS

1. ***When, if ever, is an assessment a waste of time and money? What are appropriate criteria for determining when assessments are really needed, maybe needed, or not needed at all?***
2. ***What tools and methods, in addition to confidential interviews, are effective for gathering information and evaluating the likelihood of success during assessments?***
3. ***What role should stakeholders have in designing and conducting an assessment, as well as in interpreting its findings? Whose assessment is it, anyway? What are appropriate roles for the sponsor, funder, convener, and assessor? Should the sponsor/funder or convener be allowed any special privileges? What are some of the considerations for the assessor doing, or not doing, the mediation?***

Round II included asynchronous online discussions, occasional online polls, and three synchronous interviews and online chat sessions with highly experienced practitioners (Gail Bingham, Gerald Cormick, and Michael Harty). In the three chat sessions, the practitioners discussed their approach to conducting assessments and answered questions posted online in real time. These chat sessions also provided an opportunity for participants to gain a familiarity with some of the latest technologies and tools available for conducting online discussions.

TECHNOLOGY USED

The Online Dialogue used a web-based software program called vBulletin, which we chose after developing usability criteria and evaluating two other platforms. The vBulletin platform allowed participants to log on to the Online Dialogue website, view posted messages and information, and respond to posts either in the same thread (line of conversation) or in a separate thread to create a new line of conversation. It also allowed participants to send private messages to each other and to quote previous posts, among many other functions.

The Project Team chose to test two different formats for the three synchronous events. In the online chat room format, the practitioner, the moderator and participants were all able to post text and "chat" simultaneously online. In the teleconference with online text posting format, participants could call in and listen to the practitioner and moderator discuss a topic, while simultaneously posting questions online for all to see. The teleconferences were conducted in "broadcast" mode, which only permitted the practitioner and the moderator to speak with each other directly; others could only listen. Although the interviewed practitioners also had the option to respond to questions online by typing text, both practitioners chose to only answer questions verbally.

THEMES FROM THE DIALOGUE

The ideas, thoughts and opinions contributed by participants were quite varied. This should not be surprising, given the diversity of perspectives and experience of the environmental dispute resolution practitioner community. Given the exploratory nature of Phase One, the Project Team did not seek to develop consensus during the Dialogue. Rather, we offered periodic syntheses of the themes expressed. Following is a brief summary of key themes that emerged during the dialogue:

1) **Proposed preliminary definition for conflict or situation assessment:** *"An impartial report (oral or written) which helps prepare the path for a structured conflict resolution or agreement-seeking process. An assessment may propose a preliminary design, including potential stakeholder participants, or it could conclude that such a process is not timely or appropriate under the present conditions."*

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[1] The term "asynchronous" is used here to indicate that participants to the discussion were not all online at the same time.

2) **Proposed terminology distinctions for conflict assessments**
   - **Situation Assessment:** Conducted when parties are unaware they are in conflict.
   - **Conflict Assessment:** Conducted when parties acknowledge conflict and are prepared to do something about it.
   - **Convening Report:** Used primarily to refine the design of a conflict resolution process that parties have already decided to pursue.

3) **Assessments should seek to achieve the following objectives:**
   - Give <u>all</u> parties the tools and information to make an informed choice about proceeding with a conflict resolution effort.
   - Help parties determine if negotiation is useful and currently viable in their situation.
   - Identify key stakeholders for participation.
   - Suggest how a process could be designed to make it more fair and productive.

4) **Assessments may be undertaken for different purposes in different contexts:**
   - **Court-referred:** to primarily determine the "feasibility" of initiating facilitated negotiations
   - **Low trust situations:** to primarily build relationships among the parties
   - **Upstream situations:** to primarily build the foundation for a collaborative process
   - **Mediation:** to allow the mediator to get up to speed on the situation, the parties, and their interests

5) **Key elements of assessments:**
   - Descriptions of parties and issues
   - Analysis of their interests
   - Potential opportunities for mutual gains
   - Obstacles and challenges
   - Recommendations for how to proceed

6) **The role of the neutral in a conflict assessment** may vary widely, from providing an objective assessment based on process expertise and analysis to a more facilitative role in constructing a common reality among parties to help them move towards resolution of the dispute.

INTEGRAL ROLE OF SURVEYS

The Project Team also conducted six online surveys, which were an important element of the project design. Round I survey results provided guidance for the format and content of Round II. Post-Round II surveys provided insight regarding the usability and substantive content of the Dialogue, which could be used to help inform the design and facilitation of additional online discussions, as well as future efforts to articulate best practice guidelines for situation and conflict assessments.

PROJECT OUTCOMES

In the view of the Project Team—based upon first-hand observations and review of participant evaluations—the project succeeded in accomplishing its main objectives. We believe we have expanded the practitioner community's experience with online technologies, and advanced the discussion—at least in an initial exploratory way—on the role and practice of situation and conflict assessments. According to evaluation survey results, participants found the Dialogue most valuable as a forum in which to exchange insights and experiences with other practitioners, and as an opportunity to test and gain experience with new online discussion technologies.

We are interested in gleaning additional insights from the voluminous discussion threads and survey results that were generated during the Dialogue. After the release of this report in, the Project Team members anticipate authoring articles or perhaps book chapters targeted to different audiences. In addition, the U.S. Institute will convene a workshop in the near future to further explore the practice themes that emerged from this project.

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I. INTRODUCTION

PROJECT BACKGROUND

The 2003 Online Dialogue on Conflict/Situation Assessment project evolved out of two roundtable discussions held during the 2002 Conference on Environmental Conflict Resolution, hosted by the U. S. Institute for Environmental Conflict Resolution (U.S. Institute) in Tucson, Arizona. One of these roundtables discussed the theory and practice of conflict/situation assessments; the other talked about the use of cutting-edge online technology to improve environmental and public policy dispute resolution and policy formulation.

Given the strong interest in themes related to conflict assessment and web-based discussion technology, Jonathan Raab and Colin Rule of the Online Public Disputes Project of Raab Associates and Scott McCreary of CONCUR, Inc. submitted a proposal to the U. S. Institute for a project that would both advance the thinking on conflict/situation assessments and test the use of online discussion tools. This proposal was in turn incorporated into proposals submitted by the U. S. Institute to the Hewlett Foundation, the U. S. Environmental Protection Agency and the Department of the Interior. By late spring 2003, through the financial support of these organizations, project proponents were able to begin planning their work and then convene and host two rounds of web-based discussions (Online Dialogue) on conflict/situation assessment with over 100 members of the environmental dispute resolution community.

To oversee the development and launch of the project, the project collaborators created a Project Team comprised of members from three organizations: Raab Associates, Ltd. (Jonathan Raab and Colin Rule), CONCUR, Inc. (Scott McCreary, Margaret Schneider and Xantha Bruso), and the U. S. Institute (Mike Eng and Larry Fisher). Given their interest in expanding participation and support beyond these three organizations, the Project Team established a Steering Committee that served as a sounding board regarding the proposed format and content of the project. The Steering Committee also assisted with participant recruitment by recommending practitioners for Round I, and by providing contact information for potential Round II participants **(Table 1: Steering Committee and Project Team members)**. Towards the conclusion of the project, Letoyia Brooks, a graduate student, also contributed considerable assistance in analyzing the data from the final exit survey that addressed participants' evaluation of the Online Dialogue.

Throughout the project, the Project Team functioned in a highly collegial manner, exchanging numerous emails and taking part in over a dozen conference calls during the life of the project. In the planning and execution of the project, CONCUR assumed the lead for facilitation efforts, with support from other members of the team. Raab Associates assumed primary responsibility for the technical aspects of the project, including platform evaluation, selection and maintenance. The U.S. Institute's primary role was to provide strategic advice and overall project management.

Table 1
Steering Committee and Project Team Members

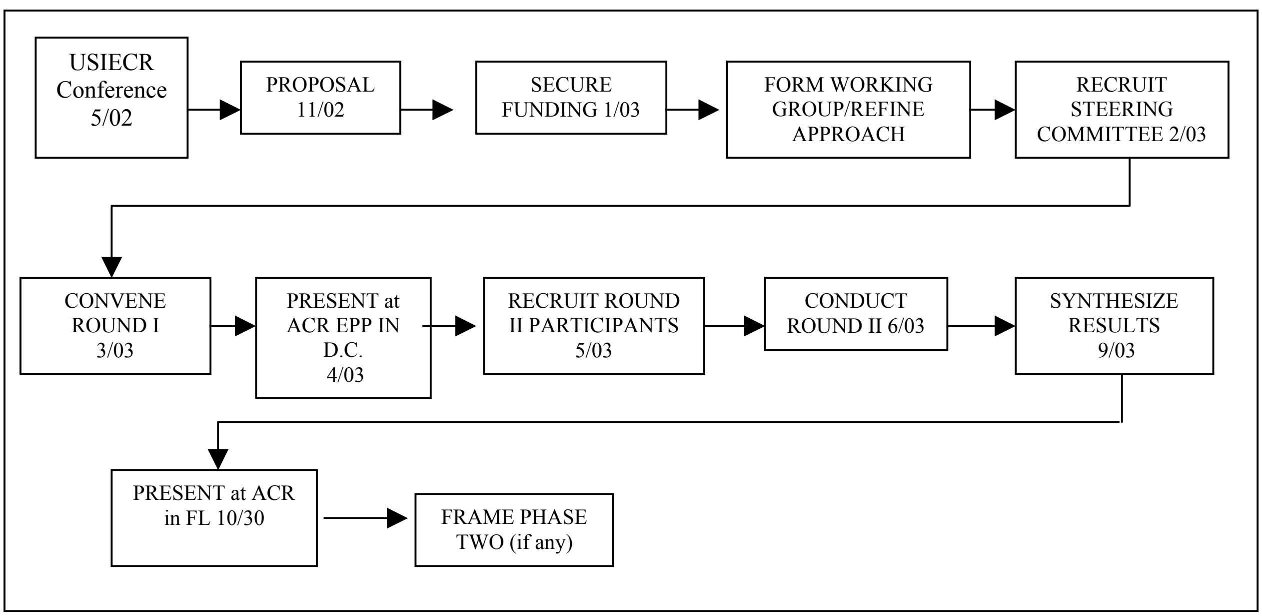
Project Team	**Affiliation**
Scott McCreary	CONCUR, Inc.
Margaret Schneider	CONCUR, Inc.
Xantha Bruso	CONCUR, Inc.
Jonathan Raab	Raab Associates
Colin Rule	Raab Associates
Mike Eng	U. S. Institute
Larry Fisher	U. S. Institute
Steering Committee	**Affiliation**
Chris Carlson	Policy Consensus Initiative
Frank Dukes	Institute for Environmental Negotiation, University of Virginia
Elena Gonzales	US Department of the Interior
Will Hall	US Environmental Protection Agency
John Helie	Mediate.com
Rosemary Romero	Association for Conflict Resolution

PROJECT OVERVIEW

Project Structure

As originally conceived, the complete project was to include two phases: **Phase One** was designed as an initial opportunity for experimentation with online technologies in promoting dialogue about assessments among practitioners, and **Phase Two** was to focus on refining and articulating best practices guidance related to conflict or situation assessments. This report covers activities completed during Phase One. **(See Figure 1, Project Flow Diagram.)**

Figure 1. Project Flow Diagram



Phase One was designed as a multi-step process involving two rounds of Online Dialogue. Both rounds were to be bounded in terms of time (2-3 weeks), participation (15-25 participants in Round I, 75 in Round II), and focus of the organizing questions. The Project Team scheduled the two rounds to allow for a mid-course review (including a presentation on the Round I results at the Association for Conflict Resolution's Environment and Public Policy Section (ACR EPP) meeting in April 2003, in Washington, DC; a synthesis of lessons learned from Round I; and the integration of those lessons into Round II. In addition, the Project Team timed Round II to allow for a presentation of the findings from both rounds at the Association for Conflict Resolution's Annual Conference in October 2003, in Orlando.

Round I of the Online Dialogue took place from March 24 - April 4, 2003 and focused on participants' definition of conflict/situation assessments, how assessments are used, when they are needed and how context shapes the assessment process. Round I was also designed as an opportunity to test the technology and refine the Project Team's vision for the format of the online dialogue. In addition, the Project Team hoped to use this initial discussion to identify thoughtful questions for Round II.

Building on the generally successful experience gained from Round I, Round II was held from June 2-20, 2003. This Round engaged over 100 participants in the online discussion as either active participants (61) or observers (41) to the process.

Round II focused on the use of assessments conducted within the context of environmental and public policy conflict resolution efforts, in order to help advance the thinking among both assessment practitioners and users of independent assessment services. The three-week round of dialogue included asynchronous online discussions, occasional online polls, and three live interviews and synchronous online chat sessions with highly experienced practitioners (Gail Bingham, Gerald Cormick and Michael Harty). In the three chat sessions, the practitioners discussed their approach to conducting assessments and answered questions posted online in real time. These chat sessions also provided an opportunity for participants to gain a familiarity with some of the latest technologies and tools available for conducting online discussions.

Technology Used

The Online Dialogue used a web-based software program called vBulletin, which was chosen after developing usability criteria and evaluating two other platforms. The vBulletin platform allowed participants to log on to the Online Dialogue website, view posted messages and information, and respond to posts either in the same thread (line of conversation) or in a separate thread to create a new line of conversation. It also allowed participants to send private messages to each other and to quote previous posts, among many other functions.

For the synchronous (i.e., live, real-time) events, the Dialogue used two different formats. In the online chat room format, the practitioner, the moderator and participants were all able to post text and "chat" simultaneously online. In the teleconference with online text posting format, participants could call in and listen to the practitioner and moderator discuss a topic, while simultaneously posting questions online for all to see. The teleconferences were conducted in "broadcast" mode permitting only the practitioner and the moderator to speak with each other directly; others could just listen. Although the interviewed practitioners also had the option to respond to questions online by typing text, both practitioners chose to only answer questions verbally. Section II describes in detail the technology used in the project.

Participants and Participation

For Round I, fifteen participants were recruited, based on criteria developed by the Project Team, with suggestions from the Steering Committee and project sponsors. The criteria included: experience, interest, diversity of institutional affiliation, and tolerance for the experimental nature of the online approach to conducting a dialogue. Overall, 29 participants were invited, and 15 participated actively. Participants were expected to log on three-to-four times-per-week and spend at least two-to-three hours-per-week reading and contributing to the discussion. During Round I, the fifteen active participants contributed 154 posts in an asynchronous online discussion related to conflict or situation assessments.[2] On average, the fifteen active participants contributed seven posts each, and according to surveys, devoted about one-to-two hours-per-week to the Online Dialogue.

In Round II, participants were recruited primarily from the previous round, as well as from the U. S. Institute's Roster of Practitioners and the list of attendees from the 2003 ACR EPP Section Conference. The Project Team and Steering Committee sought to attract professionals with a wide range of experience with conflict/situation assessment, and established a target number of 75 participants.

The 61 individuals who agreed to actively engage in Round II were expected to contribute the same amount of time to the Dialogue as was requested in Round I, and were also encouraged to join in on the synchronous events. The 41 observers were not able to post to the Dialogue, however, they were allowed to actively participate in the synchronous events. The exit survey indicated that overall, Round II participants also spent about one-to-two hours-per-week engaging in the Online Dialogue, and about a third of them joined in at least one of the three synchronous events. **(Section II, B: *Convening the Online Dialogue*, elaborates on participant recruitment and management.)**

Questions Posed

In Round I of the Online Dialogue, the Project Team and Steering Committee formulated a set of three questions regarding conflict/situation assessment **(Figure 2)**.

[2] The term "asynchronous" is used here to indicate that participants to the discussion were not communicating with each other online at the same time.

Figure 2. Round I Questions

1. ***What would be an appropriate operational definition of a conflict/situation assessment?***
2. ***How do you use conflict assessments?***
3. ***Under what circumstances do you feel conflict/situation assessments are a) essential, b) optional, and c) counter-productive?***

As a fourth question, the Project Team asked participants to submit questions they would like to have asked as part of Round II. Round II therefore built on the responses to Round I **(Figure 3)**.

Figure 3. Round II Questions

1. ***When, if ever, is an assessment a waste of time and money? What are appropriate criteria for determining when assessments are really needed, maybe needed, or not needed at all?***
2. ***What tools and methods, in addition to confidential interviews, are effective for gathering information and evaluating the likelihood of success during assessments?***
3. ***What role should stakeholders have in designing and conducting an assessment, as well as in interpreting its findings? Whose assessment is it, anyway? What are appropriate roles for the sponsor, funder, convener and assessor? Should the sponsor/funder or convener be allowed any special privileges? What are some of the considerations for the assessor who is doing, or not doing, the mediation?***

In both Rounds, the questions were opened sequentially in order to focus participants' responses to the discussion. In general, most participants posted their responses within the same thread as the question. Only a few participants started and contributed to separate threads of conversation. Overall, participants contributed 154 posts within 20 threads in Round I, and 125 posts in 35 threads in Round II. **(Section III: *Synthesis of Themes Articulated by Participants of the Online Dialogue* describes in detail the content and nature of these posts.)**

CONCUR, Raab Associates and the USIECR jointly made all project design and strategy decisions. In terms of facilitating the actual online discussions, CONCUR staff took the lead by logging in each day, reading the posts and preparing syntheses of discussions. CONCUR staff also sent email reminders regarding the opening of questions and the timing and content of the synchronous events. Raab Associates staff supported CONCUR's facilitation lead, and was primarily responsible for the online technology and responding to technical questions. (**Section II, C: *Facilitating the Asynchronous Discussion and the Synchronous Events*, elaborates on the facilitation of the Online Dialogue, including management of the three synchronous events.)**

PROJECT OUTCOMES

The exploratory Phase One dialogue produced several useful outcomes. One clearly valuable outcome was the identification and clarification of important questions regarding the conduct of assessments. A second outcome was the creation of an opportunity for an online conversation among practitioners and users of assessments. A third outcome was the opportunity for both the Project Team and the Online Dialogue participants to utilize and learn about new technologies. A fourth beneficial outcome was the learning experience gained by the Project Team in designing and conducting the online dialogue.

Identification of Important Questions

The Online Dialogue helped to surface a number of important themes relative to the conduct of assessments. The questions posed to participants covered the definition, use and appropriateness of assessments in different situations. They also asked participants to weigh in on effective tools and methods used in conducting assessments, as well as ethical and professional considerations pertaining to the roles of different parties in an assessment.

Although consensus on a definition of conflict or situation assessment was never the objective of the Dialogue, a proposed preliminary definition that the Project Team was able to glean from the responses received was that an assessment was:

> *"An impartial report (oral or written) which helps prepare the path for a structured conflict resolution or agreement-seeking process. An assessment may propose a preliminary design, including potential stakeholder participants, or it could conclude that such a process is not timely or appropriate under the present conditions."*

Regarding the use of assessments, we found that many—but not all—practitioners begin cases with an assessment. According to the results of Round II, Survey A: *Survey on Assessments*, on average, respondents reported that 41% of their mediated processes (i.e., agreement-seeking) involved conducting conflict assessments, compared to 28% for facilitated processes (consensus building/information sharing). In Round I, Survey 2: *Quantitative Survey on Use of Assessments*, which asked the same questions, the eleven experienced practitioners who responded indicated that, on average, they conducted an assessment for 59% of their mediations and 32% of their facilitated processes.

Practitioners used assessments for a wide range of purposes, from helping parties decide whether they wanted to engage in a mediation or negotiation process, to mapping potential solution space, to creating a reference or baseline document, to supporting an end-of-mediation evaluation. There was a great diversity of responses to this question, as each participant responded to it based on his or her own personal work experience.

Personal case experience also clearly influenced the responses to the question regarding the appropriate situations in which to undertake conflict or situation assessments. While participants generally agreed that assessments are essential whenever parties to a complex situation are considering a collaborative approach, participants identified a number of diverse factors that may contribute to a situation's complexity. These factors included the number of parties, jurisdictions, and agencies involved; the length of impact of potential decisions; the extent that fundamental values were at stake; and the difference in power between key stakeholders.

Participants also wrote that some kind of initial assessment, however defined, was necessary to determine the best way to intervene. They put forth dozens of situational criteria that might indicate the need for an assessment, ranging from the amount of time and money available to the level of nuance and subtlety that needs to be conveyed in the process. In addition, participants discussed the appropriateness of both informal and formal methods of doing assessments, and the situations in which the two different methods work best.

In regard to effective tools and methods for gathering information and evaluating the likelihood of success during assessments, many participants agreed that the first tool is observation. The use of background materials, including newspaper articles, reports, and relevant laws and legal documents was also mentioned as an appropriate method for understanding the context and setting of a dispute. A number of other tools ranging from focus group interviews to questionnaires to interactive computer-based decision support tools were also mentioned.

A common assertion that emerged during the Online Dialogue regarding the roles of stakeholders and other parties involved in an assessment (such as the sponsor, funder, convenor, and assessor) was that the participants themselves should be actively involved in designing the assessment and interpreting its results. In addition, participants suggested that if parties are to feel ownership for the assessment and its results, they must be free to choose (or at least ratify) the assessor and subsequent mediator. They should also determine how the assessment would be used.

Some participants indicated that in practice, split roles between an initial assessor and subsequent mediator, may not be an effective way to proceed. Instead, they suggested a team approach with a division of complimentary responsibilities.

Participants also shared a number of observations about the role of the initiating agency or sponsor. While some commented on the important, positive impact an influential sponsor can have in getting an assessment started, others voiced concerns about the potential introduction of bias resulting from implicit or explicit pressures on the parties, as well as the assessor. Participants also discussed the role of funders in an assessment process, and generally stressed transparency and neutrality.

Opportunity for Dialogue Among Practitioners

A survey at the conclusion of Round II indicated that 46% (12 of 26) respondents identified the ability to exchange ideas and experiences with other practitioners as the most valuable outcome of the Online Dialogue. Further, 16% (4 of 26) respondents identified both technology and the "rich exchange of ideas" as the most valuable outcome. Several of the participants commented that they enjoyed sharing their experiences and challenges with others. Two respondents identified the interviews with practitioners as the most valuable part of the Online Dialogue, and another two most valued a combination of the interviews and the exposure to new technology. Reflecting the diversity of experience among participants, one observed: "…The dialogue was a great way for a non-practitioner to learn."

Exposure to New Online Technologies

According to the Round II Exit Survey, 23% (6 of 26) respondents identified the opportunity to utilize and learn new technologies as most valuable experience of the Online Dialogue. Three of these participants also commented favorably on the convenience of the technology. Furthermore, after the Dialogue, most participants indicated they could envision using these technologies in their work. Sixty-three percent (12 of 19) Exit Survey respondents wrote that they would consider using the threaded online discussion format, 67% (10 of 17) would use online polls, and 53% (7 of 13) would use the synchronous event technologies.

Learning from Designing and Conducting an Online Dialogue

The Online Dialogue confirmed several expectations about the conduct of an online dialogue for the Project Team, and produced some new insights. The tasks that needed to be addressed during the course of the Online project included:

1) **Managing Project Technology**
   - Evaluating and selecting the asynchronous discussion platform and its functions
   - Planning and conducting synchronous events
   - Articulating goals and outcomes of the synchronous events
   - Designing and deploying surveys
   - Addressing technical difficulties
   - Adapting lessons learned about online technologies

2) **Convening the Online Dialogue**
   - Developing questions to focus the dialogue
   - Recruiting and organizing participants

3) **Facilitating the Asynchronous Discussion and the Synchronous Events**
   - Welcoming participants to the dialogue
   - Communicating instructions to participants
   - Composing emails and posts to participants
   - Framing the introductions to questions
   - Synthesizing posts and framing new topics
   - Facilitating synchronous events
   - Maintaining and troubleshooting the dialogue

The Project Team also discovered that the level of effort required to staff the Online Dialogue was considerable. Team members collectively spent 40 to 80 person-hours-per-week leading up to the online dialogue. Conducting the actual Online Dialogue itself required 30 to 40 hours a week. Additional time was also required following the conclusion of the Dialogue to analyze the survey results and prepare this report.

During this project, we were fortunate to build and maintain a highly collegial team. This was necessary, as planning for and conducting the Online Dialogue required a myriad of time-sensitive decisions about both deployment of technology and framing of online content. A less cohesive team might not have been able to adequately coordinate such tasks.

Overall, the Online Dialogue generated diverse and insightful discussion on the role of conflict/situation assessments, and was a successful proving ground for the use of various online discussion formats. Participants found the Dialogue most valuable as a forum in which to exchange insight and experience with other practitioners, and as an opportunity to try out new online discussion technology.

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II. DESIGNING AND IMPLEMENTING THE ONLINE DIALOGUE

The project was comprised of three interrelated components: 1) managing the project's technology, which included evaluating, selecting, maintaining, and troubleshooting the technology used in both the asynchronous dialogue and the synchronous events; 2) convening the Dialogue, which included framing the discussion questions, recruiting and orienting the participants, and facilitating the asynchronous dialogue and synchronous events; and 3) synthesizing and interpreting the project's findings and results. This section goes over the Project Team's tasks and responsibilities for each of these components in detail.

A. MANAGING PROJECT TECHNOLOGY

One of the purposes of this project was to test the use of online discussion technologies. For this reason, it was important to try out several different technologies, both to gauge their effectiveness and to expose participants to different online tools. Over the course of the project, the Project Team designed and implemented four different online technology formats: an asynchronous discussion platform, a teleconference with an online question submission format, a text-based chat, and online surveys. With each of these technologies, the Project Team focused on effective technology design, providing user support and follow-up. These technologies are discussed further below.

Evaluating and Selecting the Asynchronous Discussion Platform and its Functions

The original design for this project relied almost entirely on a centralized threaded discussion platform that would organize postings from participants by topic and allow for in-depth conversations that could evolve of their own accord. The asynchronous nature of this online discussion platform was expected to make the busy schedules of the participants less of an obstacle to quality interactions. In addition, it would give participants more time to reflect and comment on the discussion.

In selecting an appropriate asynchronous discussion platform, Colin Rule and John Helie of the Steering Committee worked early in the design phase to analyze the technical needs of the Online Dialogue and to select a discussion platform that could best meet those needs. Rule and Helie first drafted a scoping document listing a set of priorities and preferred which was vetted by the entire Project Team functions **(See Appendix B: *Technology Platform Selection Criteria*.)** These criteria are displayed and ranked in order of importance in **Figure 4.**

Figure 4. Criteria Used to Evaluate Asynchronous Discussion Platforms

1. **Discussion management capabilities**
2. **Learning curve/complexity/ease of use**
3. **Survey capabilities for evaluating consensus**
4. **Storage and archive capabilities**
5. **Synchronous and asynchronous communication options**
6. **Security options**
7. **Accessibility through email**

Another specific goal of the project was to use technologies that were available at low or no cost. Low-cost tools would be easier for participants to employ online approaches in their own processes after this particular project concluded.

Based on these criteria, Rule and Helie identified three viable platforms: phpbb, vBulletin and Webboard. They then prepared a memo comparing them more specifically against the established criteria and by how their features might support the eventual design of the Online Dialogue. Rule and Helie then deployed all three prospective technologies and tested them to determine which platform best fit the established criteria. They determined that vBulletin, a software based upon open source technologies such as php, linux and mySQL, was the most appropriate platform for the Dialogue. Some of its relevant functions included an intuitive, flexible interface; excellent threading capability with edit and move options for facilitators; web-based administrative control, private messaging, chat options and a survey function; the ability to tune in or out of specific dialogues; and a wide range of security options.[3]

Once the Project Team selected the platform and its various functions, it was installed on a dedicated web server and customized with the look and feel of the overall project website. The team created hyperlinks between the flat HTML pages detailing project background, participants, facilitators and goals, and the more dynamic pages of the discussion environment, so that participants could easily move from one area to the other **(Figures 5 and 6).**

Although the Project Team anticipated that not all of vBulletin's functions would be deployed during the Dialogue, it was valuable to have them available in case they proved to be useful or desired by Dialogue participants. In general, the team found that few participants took advantage of the "extra" features that were available on the platform, such as private messaging or the ability to subscribe to only specific dialogues. However, exposure to these functions was one of the goals of the project, so the Team included them and observed that they were used by at least some participants. In terms of administering the platform, having simple, web-based administrative control over the platform was a huge benefit since Project Team members were in offices on opposite coasts (CONCUR in California and Raab Associates in Massachusetts).

[3] vBulletin was available at a very modest price of $75 per year.

Figure 5. Online Dialogue Home Page, Round II (June 2-June 20, 2003)

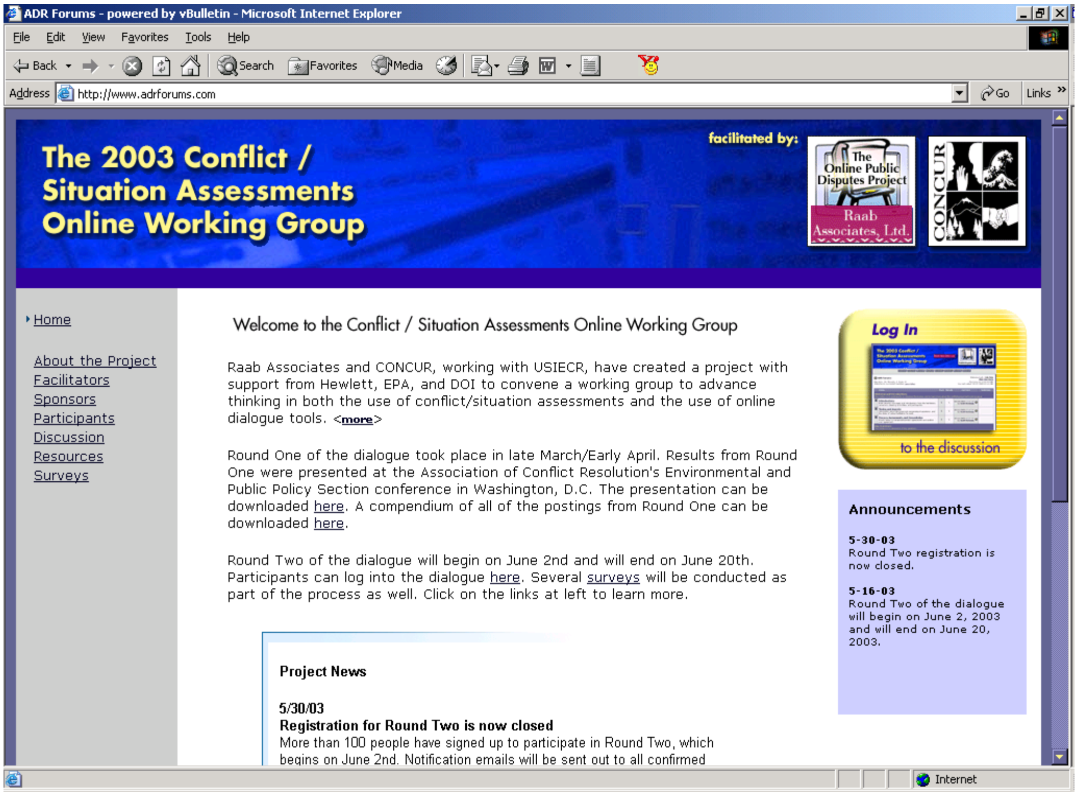
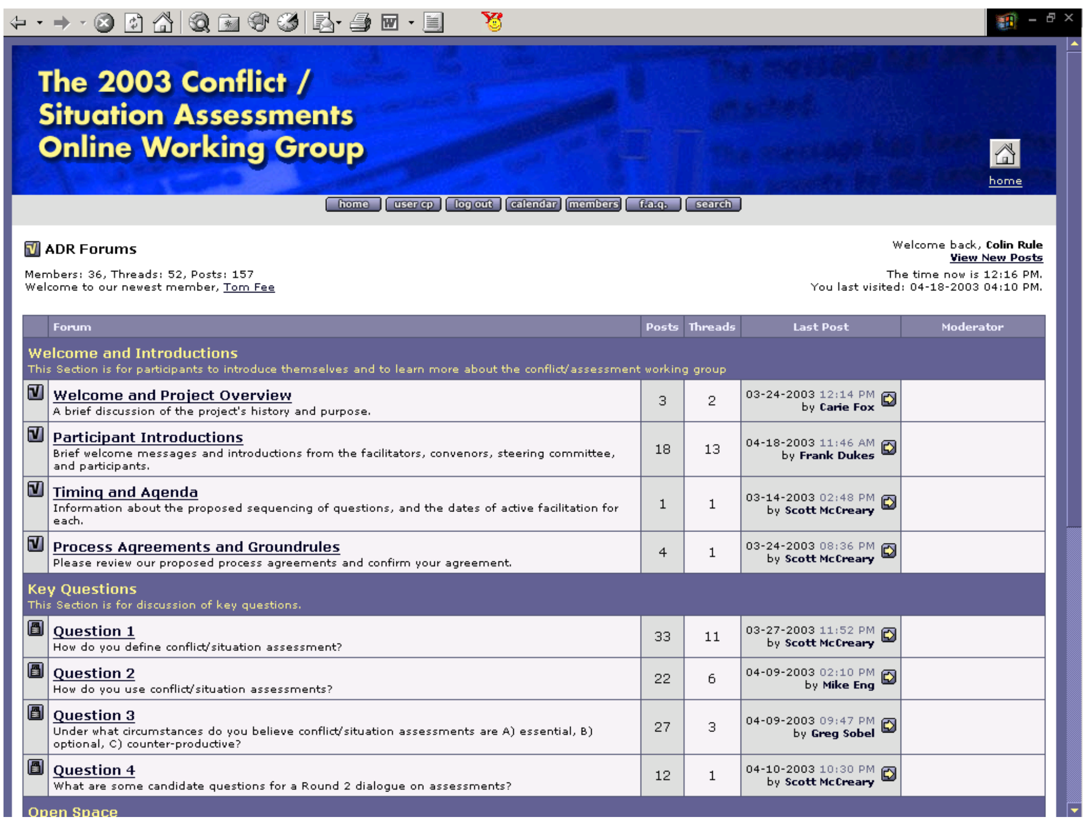


Figure 6. Online Dialogue Platform Main Page, Round I (March 24-April 4, 2003)



In customizing the functions of the platform, the Project Team established a "Recommended Resources" section on the main page of the Online Dialogue platform. This feature invited participants to upload documents that they felt were valuable resources on assessments to the project. In the project's original design, the Project Team and Steering Committee intended for a "Resources" page on assessments to go on the U. S. Institute's web site in advance of the Dialogue. However, it was eventually decided that the feature would receive more use if it were directly on the Dialogue website. Participants used this feature only to a limited extent during the Dialogue, making eight posts to suggest recommended references and/or documents.

Planning and Conducting Synchronous Events

Since some participants in Round I expressed a sense of disconnection due to the asynchronous nature of the round, the Project Team decided to add several real-time presentations in Round II to foster more direct interaction. Two different technologies were deployed for the three synchronous events. Each event was designed to focus on a particular assessment and to allow participants to explore issues in-depth with an individual practitioner. The events took place on Tuesdays, during each week of Round II:

- **June 3:** Teleconference interview with questions submitted online in advance of and during the presentation, viewable by all online (*Gail Bingham*, moderated by *Scott McCreary*)
- **June 10:** Online text chat interview (*Michael Harty*, moderated by *Colin Rule*)
- **June 17:** Teleconference with questions submitted online in advance of and during the presentation, viewable by the facilitator and online participants (*Jerry Cormick,* moderated by *Mike Eng*)

It is important to note the initial skepticism with which some on the Project Team viewed the synchronous events, especially text-based chats. Text-based chats are notorious for being chaotic, disorganized and confusing. They also favor participants who post short comments and can type quickly. Partially in response to some of that skepticism, we opted to have two technology-assisted teleconferences, instead of three text-based chats.

Both of the teleconferences were conducted in "broadcast" mode, which allowed only the presenter and moderator to speak with each other directly. Participants calling in could only listen, but they could submit questions online in real time. The decision to conduct the teleconference in "broadcast" mode was to eliminate the likely chaos that would have resulted with 30 to 50 participants all trying to speak at the same time.

The original concept for the first synchronous interview event with Gail Bingham was to have a custom-built, text-based online question submission-and-response form, with Gail answering questions submitted online at the same time as Scott McCreary interviewed her via a teleconference. After some testing and experimentation, and the construction of a complex form, the Project Team realized that such a presentation would be too disjointed and complex for the speaker to manage all at once, and that neither medium (voice or text) would get the attention it deserved. Therefore, the Team, in consultation with the presenter, chose to use a primarily voice-based format, with Gail answering the questions verbally during a teleconference that were submitted online either in advance of or during the event.

The second presentation was a pure text chat, meaning there was no verbal component. The Project Team circulated documents submitted by Michael Harty in advance of the call, so that participants could begin with a basic understanding of the topic being discussed. The facilitator, Colin Rule, tried to synthesize and order the questions that text-based chat participants typed in. However, many found the event frustrating, as there was an inevitable delay between the posting of a question and the posting of a response.

The third event was interesting and different due largely to the fact that Jerry Cormick, the presenter, was not able to be online during the presentation. The event facilitator, Mike Eng, could see the questions submitted online by the listeners, and raised these questions to Jerry in the course of their teleconference. The Project Team felt that this led to a more natural flow of the conversation, because Jerry did not have to worry about looking at a computer screen; he could just focus on the point he was trying to make verbally.

Goals and Outcomes of the Synchronous Events

The Project Team identified multiple goals for these synchronous events. The events were designed to sustain the momentum of the dialogue, demonstrate a variety of online communication options, and evaluate their various strengths and weaknesses. In addition, the Team wanted to accommodate the preferences of the presenters and provide a linkage to the topics under consideration. These tools presented an obvious learning curve for both the presenters and the attendees, but the fairly high level of participation in the events encouraged the Project Team.

Several of the questions in the Bingham and Cormick interviews addressed topics under discussion in the asynchronous discussions. However, two of the synchronous events focused discussion on special cases. Consequently, little of what had been posted during the prior asynchronous dialogue was discussed during the synchronous events. Furthermore, issues raised during the synchronous discussions were not pursued in subsequent online postings. In retrospect, coordination of the topics addressed in the synchronous and asynchronous events might have generated additional, more animated discussion and better Dialogue.

Designing and Deploying Surveys

During the Online Dialogue, the Project Team designed and deployed surveys for several different purposes. In all, we used six surveys to capture information from participants on a wide variety of topics. The surveys included short polls seeking quick feedback on a particular question, as well as in-depth surveys capturing extensive information from participants. The survey tool was used during the Dialogue to customize and adapt the platform. An exit survey following the conclusion of the project was also used evaluate outcomes and to gain insight into experiences of the participants.

As the Project Team had extensive experience with offline surveys, we were able to give careful thought to the design of the online surveys. The instantaneous results from online surveys also allowed the Team to make dynamic decisions about when to open and close particular surveys. Some of the results of surveys were available only to the Project Team, while other results were reported back to the discussion forum in real time.

We deployed three surveys each in Round I and II. In Round I, Survey 1 sought accurate contact information for participants. Survey 2 asked participants how often and in what context their negotiations began with a formal conflict assessment, in order to provide context on the extent of the use of these tools. Survey 3 was intended to elicit feedback on Round I and to obtain participants' preferences for Round II, including a poll on the questions that were nominated for use in Round II.

In Round II, Survey A queried participants' experience with formal conflict assessments, their challenges in conducting them, the principles that underlie them and what they wanted to learn about them. Survey B polled participants about their experience with the two synchronous events that had been held up to that point in the Dialogue.

Survey C, the third survey in Round II, was a comprehensive “Exit Survey" that posed more than 30 questions to gather feedback on the entire Dialogue process. The majority of these questions sought written responses, and some of them contained more than 14 internal components. Participation was generally high for most of the surveys put forward. The Exit Survey was completed by 26 of 38 active participants and two observers. **(To view Round II Surveys and Results (A-C), see Appendices D, E and F.)**

Addressing Technical Difficulties

During the course of Round I, participants submitted a fairly steady stream of technical questions. The Project Team endeavored to respond to each request in a timely manner and help the individual resolve the particular problem that he or she was facing. Some issues that had not been foreseen and were addressed during the Dialogue included:

- When to start a new thread as opposed to posting a new message in an existing thread
- How and when to use quotations from other postings
- How to resolve password and log on problems

The team tracked all of these issues and addressed them more proactively in the "participant instructions" that were distributed with the orientation materials at the start of Round II.

At the close of Round I, the entire threaded discussion was moved to an archive section, where it could be reviewed but not amended. The Project Team also copied all of the messages and placed them in a Microsoft Word document format, so that they could be downloaded and reviewed offline. The Team also compiled a report from statistics drawn from the web server, indicating a variety of parameters (e.g., which pages were most frequently visited, the average amount of time spent on the site by participants, and the most popular times of day for reading and posting).

For Round II, the infrastructure that had been deployed and refined in Round I was reused, but much more intensively. Instead of fifteen active participants, Round II involved more than a hundred participants and observers. The team built a sign-up and initial survey mechanism to accept nominations for participation. This information was manually entered into the vBulletin user list. The user instructions generated for Round I were re-drafted into two versions, one for the observers and one for the participants. These were distributed to all participants, along with their login names and passwords, prior to the start of Round II.

With four times as many active participants, the volume of technology problems in Round II was understandably higher. However, the number of postings was not correspondingly high, and did not reach the level the Project Team anticipated. This may have been due, in part, to participants' involvement in the synchronous events, which were not a feature included in Round I.
In regard to the synchronous events, many of the technological issues that arose in the first event (window resizing issues, password confusion, etc.) were resolved in the second event. The text-based chat format generated a very strong negative reaction, with some participants saying they felt it was a total waste of time and very frustrating. Overall, however, the information exchanged in the synchronous events served to deepen the Online Dialogue and humanize it by incorporating real time engagement and more direct verbal interaction.

Lessons Learned about Online Technologies

The technology used was somewhat complex and required significant up-front planning and preparation, in addition to constant attention to providing support and answering questions. Though technology has become much less expensive and complex, expertise is still required to install and deploy these tools and to use them confidently in large processes.

No technology-assisted process should be convened without an adequate level of competent, committed support. Embarking on a process such as this one without that internal capacity could be a recipe for disaster, if technical difficulties develop mid-process, leaving participants frustrated and angry, and convenors and funders looking for quick answers.

In addition, we saw a range of technological savvy among our participants. Clearly, an equally high level of technical capability cannot be assumed. With a general audience, it is probably safer to anticipate that only a handful of users have deep or extensive technological expertise. Online forums should factor in sufficient time for participants to get familiar with the technology. It is unrealistic for a process to launch and immediately assume participants will begin to participate at full speed. Anticipating this learning curve and allowing for it in the design process is extremely important.

Online tools are unquestionably useful for practitioners in this field. For example, in the exit survey, participants predicted they would use the asynchronous threaded discussion format in trainings and for educational purposes, as well as for group projects such as brainstorming or committee work. Many respondents also indicated that they would use online polls for information gathering and consensus building. It should be noted, however, that the utility of these tools must be weighed against the limitations of the medium, the cost (in money and time) required to set them up and maintain them, and the frustrations and learning curves of the users.

The relative strengths and weaknesses of synchronous vs. asynchronous tools should be carefully considered when a process is being designed. For example, the text-based chat format used in the second synchronous event proved to be inappropriate, because the lag time between question and response made it frustrating and difficult for participants to converse. From this, the Project Team has concluded that certain tools can be extremely helpful in specific circumstances, but that they are not universally applicable and cannot be a panacea for groups that cannot find time to convene in person or over the phone. Asychronous text-based communication can provide a number of benefits. Participants have the opportunity to carefully read and consider ideas before composing thoughtful responses. Obviously, a text-based dialogue also provides a written record of the discussion for further analysis. At the same time, text-based asynchronous communication has limitations that should be well understood by any facilitator who plans to make use of these methods in his or her process.

B. CONVENING THE ONLINE DIALOGUE

Developing Questions to Focus the Dialogue

An important task of the Project Team was to formulate questions to focus the discussions. In developing questions for Round I, the Team carefully considered the organizing questions for the Spring 2002 U. S. Institute conference **(see Appendix C: *Organizing Questions for the Spring 2002 USIECR Conference*)**. The Team discussed this list with the Steering Committee, and, recognizing that the topics could be a bit abstract, tried to create questions that were both provocative and interesting. For example, instead of asking participants to detail the components of a conflict assessment, the Team asked, "What constitutes a good or successful Conflict Assessment?"

Once the Round I dialogue was launched, the Project Team opted to use the forum itself to inform the development of Round II questions. Round I, Question 4 invited suggestions for Round II questions. Through this, the Team received 24 proposed questions. Upon review, the potential questions were organized into the following five categories:

1. Questions about roles of convenor versus neutral assessor in stakeholder assessment
2. Questions about conducting assessment processes
3. Questions about necessity and effectiveness of assessments
4. Questions about how to evaluate assessments
5. Alternatives to evaluation of current assessment practices

The Team then used an online polling tool to post these questions and determine the level of interest in each one. The Team analyzed the results, aggregated questions and formulated a final set of questions for Round II.

The Team originally composed four questions, but just prior to the opening of Round II, it opted to drop the last one, which asked participants for a definition of conflict/situation assessment. The Team made this adjustment to enable participants to focus more on the previous three questions. The question regarding definitions was viewed as repetitive (to those posed in Round I), and it was considered unlikely to engender a lively discussion.

We also adjusted the management of the agenda over the course of the two Rounds of the dialogue. The schedule for opening questions was adjusted to keep the discussion flowing. In Round II, the Team staggered the release of the three questions so that discussion would continue in a logical manner and facilitators would have time to manage the volume of postings and analyze their content. Once open, each question was kept available for posting through the end of the Round. After a question had been open for about four days, it was apparent that activity declined because most participants had already read through the site and written some posts. Therefore, the Team chose to open the last question earlier than planned in order to maintain momentum of the Dialogue.

In the Exit Survey at the conclusion of the Dialogue, half the respondents wrote that they would rather have had all the questions open at the beginning of the Dialogue, and half wrote that they liked them sequenced and opened one at a time. Therefore, the Team was unable to draw a strong conclusion about the preferred format for the Dialogue. However, a lesson learned is that the time required to manage the Dialogue generally necessitates a sequenced question format.

Recruiting and Organizing Participants

During the design steps of the project, the Project Team and Steering Committee reasoned that that 15-25 ADR professionals was the optimal range for Round I participation, as that would provide a large enough pool to tap a range of views, yet small enough to be a manageable pilot. Therefore, the Team began recruiting participants for Round I by inviting the Steering Committee and the participants in the U. S. Institute Spring 2002 Conference round table discussion to take part. The Team then asked these individuals to nominate additional participants. Selection criteria for Round I participants were that they be: 1) relatively expert in the use of conflict assessments; 2) willing to be tolerant of new technology; and 3) available to participate and log on three-to-five times per week (ideally almost daily during the active period in mid-March). Of the 29 practitioners invited, 15 agreed to participate.

The goal for Round II was to recruit a larger pool of professionals with a wide range of experience with conflict/situation assessment. With the Steering Committee's advice and concurrence, the Team extended invitations to 1) the entire national U.S. Institute Roster; 2) all attendees of the April 2003 presentation at the ACR's EPP Section Conference; and 3) all Round I participants.

For Round II, the Team also established a two-tiered system of participation: active participants who would commit to logging on between two-to-three hours-per-week, and observers who could view the dialogue but not post or reply to posts. In deciding on the number of active participants, the Project Team agreed that the number of active participants be capped after 75 individuals had registered, on a "first come, first served" basis. One of the motivations for casting a wider net for Round II was to include a wider range of participants from the environment and public policy community. Another was to take into account the attrition of participants that was experienced in Round I, due to a variety of personal and professional circumstances. In Round II, 61 participants were registered at the beginning of the Dialogue, but only 38 individuals had actively engaged in the dialogue by the end of the process. The number of observers, which was not capped, totaled 41 throughout the Round.

Recruiting and organizing the over 100 participants for Round II involved an orchestrated emailing effort by the Project Team to market the Dialogue, assign individuals login names and passwords, and notify them about various aspects of the Dialogue (registration deadlines, ground rules, responsibilities of participation, opening of questions, etc.). This effort was made easier by the vBulletin platform, which allowed facilitators to compose emails to the group in many ways (entire group, participants only, observers only, facilitators only, etc.).

In communications to recruit participants, the Project Team first drafted a formal *Letter of Invitation*, which was emailed on May 19, 2003 to roughly 300 recipients. The registration period for all participants commenced that day and ended May 28, 2003. Once people accepted the invitation, they received a reply with a Welcome email that greeted them and described how the Dialogue would be conducted.

In the *Letter of Invitation*, participants were asked to commit to active and focused participation, to communicate their views, and to seek to understand the views of others. Participants were asked to log on three-to-four times-per-week and spend at least two-to-three hours-per-week reading and contributing to the discussion. Based on the Exit Survey after the Dialogue ended, half of the respondents said they contributed one-to-two hours-per-week; a quarter of the respondents contributed more; and a quarter contributed less. Therefore, the amount of time participants engaged in the Dialogue was less than the commitment initially anticipated.

With regard to the observers, survey data indicates that they logged on for an average of 20 minutes-per-week during Round II. Thirteen observers participated in the synchronous events.

C. FACILITATING THE ASYNCHRONOUS DISCUSSION AND THE SYNCHRONOUS EVENTS

In facilitating the Online Dialogue, the Project Team used several methods to orient participants to the project's content and technology.

Welcoming Participants to the Dialogue

Upon confirmation of participation in the Online Dialogue, the Project Team emailed a Welcome message. The body of the email contained:

- a welcome and introduction from Scott McCreary and the Online Project Team members
- information on the project's background

➢ an agenda and timeline with the questions and their opening dates
➢ information on process expectations and ground rules

This message was also posted on the project website's ***"Welcome and Introductions*"** section.

Communicating Instructions to Participants

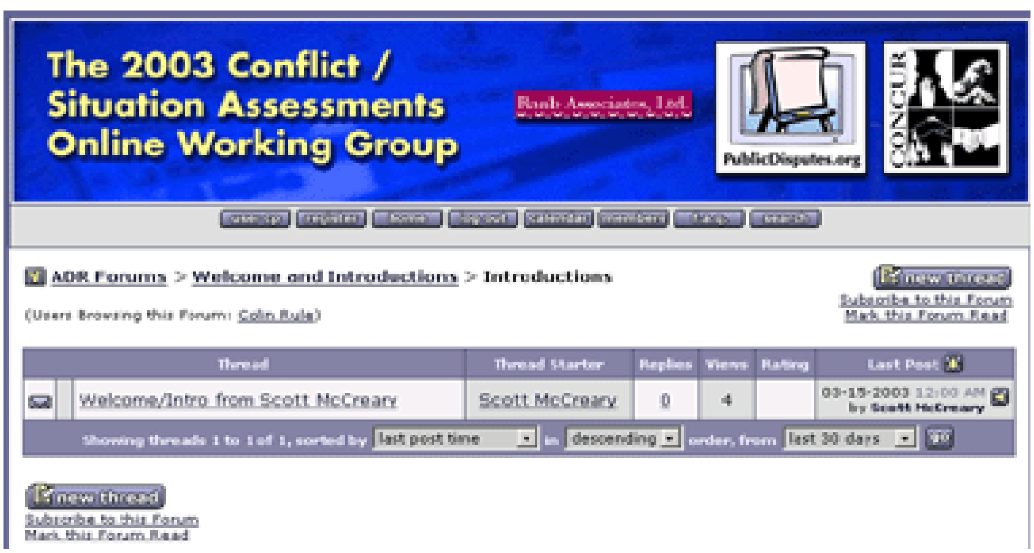
The Welcome email contained an attachment called ***"Participant Instructions."*** This document reviewed the structure of the Online Dialogue in detail. Specifically, it contained:

➢ the Online Dialogue website URL and instructions for logging in to the Dialogue,
➢ the architecture of the website, including screen shots and descriptions of the different pages,
➢ instructions on how to navigate between the different pages
➢ instructions on how to post a message within a thread, how to post a new thread, and how to reply to other participants' posts,
➢ tips for using other online tools, such as quoting and personal messaging, and
➢ Project Team contact information for technical help

An excerpt of this document, showing people how to post a reply message, is shown in **Figure 7.**

Figure 7. Excerpt from Participant Instructions for Round II, May 30, 2003

Let's step through posting a short introduction message in the first thread, Introductions. To go there, click on the purple word "Introductions" at the top of the list of threads. You'll see a page that looks like this:

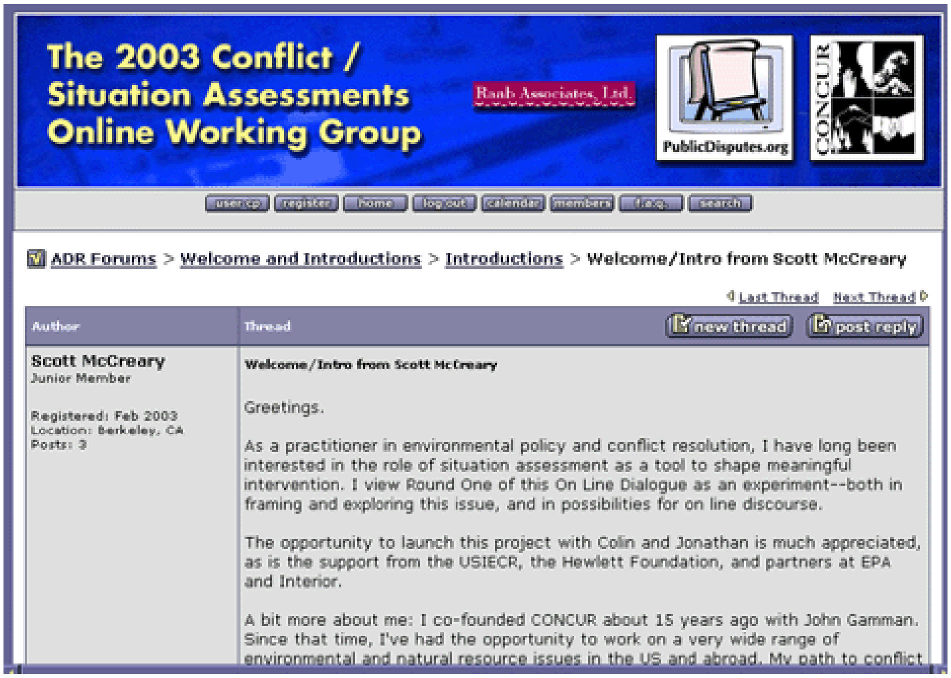


Click on "Welcome/Intro from Scott McCreary" to see Scott's welcome message.

(Continued)

Figure 7. Participant Instructions (Continued)

It looks like this:



Once you read the message, click on one of the purple buttons above and below Scott's message that say "post reply." You'll see a screen that looks like this:

Type a title for your message in the area circled in green, and type the body of your message in the area circled in magenta. Then slide down to the bottom of the page and click the button labeled "Submit" (you can also click on the "Preview" button if you'd like to read it over one last time before posting it.)

Voila! You just posted a reply to Scott's message. You can review it to see how it looks. Check back soon to see if anyone replied to your message in turn.

Composing Emails and Posts to Participants

Prior to and during the Dialogue, the Project Team communicated with participants through a number of emails and online posts. Through the vBulletin platform, messages could be emailed to the relevant groups (participants, observers, or both) and also posted within the Dialogue. During the Dialogue, there were only a few emails that were not posted online, such as reminder emails to participants who had not yet logged on or who had not yet posted anything. In the exit survey, it was revealed that most respondents preferred communication via both mediums, and that participants appreciated the emails especially because they served as a reminder to participate and as a way to get caught up on the Dialogue before re-entering it. The inclusion of a hyperlinked URL to the Dialogue in each email was also noted as a good way to expedite and encourage participation in the Dialogue.

In general, some form of communication was sent out approximately every two to three days. These messages included announcements about the synchronous events, notices on the opening of a question with a preface to the question and the question itself, and reminders to register, log in and contribute. An example of one of these communications, sent during Round II by Scott McCreary on June 12, 2003,entitled "Online Dialogue Reached Half Way Point!" is located in **Figure 8**.

Figure 8
June 12, 2003 Email to Round II Participants on Dialogue Content and Upcoming Events

HELLO ALL,

The second week of the Online Dialogue has so far resulted in many great new posts in response to Question 1, and a number of very thoughtful considerations of Question 2.

QUESTION 1
Some points made on Question 1 ("Are assessments always a good idea?) have been:

- Sometimes the cost of the assessment, up front, saves money in the long run.
- Written assessments can sometimes cause more harm than good, especially when litigation is occurring or likely to occur.
- There is a range of assessment possibilities in between a cursory assessment and a formal written document, including structured in-person interviews, phone or e-mail interviews and/or dialogue, and on-line options like this one to assess a case.
- Assessment is a critical piece of a dispute resolution/collaborative process, but more attention needs to be given to choosing/developing situation-appropriate assessment tools.

Some suggestions and ideas that have emerged from the dialogue have been:

- The USEPA has created a centralized funding/resources for assessment as an integral part of a routine convening effort, which is a positive development because having a small amount of funding available saves the manager from "gambling" precious program money to find out whether an ADR process will work. It also provides the manager with a sense of movement toward a goal, instead of a sense that an academic study is being done at his/her expense.
- One participant listed instances when it was useful to put things in writing early on to help parties figure out what, if anything, to do by way of a neutral-assisted process.

Many questions were raised and at least partially answered by participants, including:

- When is a formal assessment required as a matter of ethics or professionalism?
- By whom should assessments be done and under what circumstances?
- How have you successfully advocated for assessment as a critical piece of a project?
- How does the concept of an assessment as an educational tool shape the assessment?
- Do people use assessments to focus on openings for common ground and consensus, or do people elicit disagreements?
- Has anyone done an assessment and recommended referral to litigation or legislative processes?
- What if a convenor has no clout to bring people together?
- Could anyone describe a failed assessment?

QUESTION 2
Question 2 asks, "What tools and methods are effective for gathering information and valuating the likelihood of success during assessments?" In response to this question, participants commented on the following utilities:

- Observation
- Media
- Established laws
- Previous or ongoing litigation--
- Resource availability
- Prior third-party
- Email
- Interactive computer decision support tools (Option finder or CoNexus)
- Issue mapping activity among a community focus group

Participants also cautioned on too heavy a reliance on oral tools, talked about the benefits/disadvantages to written materials, and discussed the merits of using a mediator's confidential statement or brief that is delivered by each

Figure 8 (Continued)

QUESTION 3 TO BE POSTED 6/12
Question 3 will be open for your posts the morning of Thursday, June 12. It asks:
"What role should stakeholders have in designing and conducting an assessment, as well as in interpreting its findings?
Whose assessment is it anyway? What are appropriate roles for the sponsor, funder, convener, and assessor?
Should the sponsor/funder or convener be allowed any special privileges?
What are some of the considerations for the assessor doing, or not doing the mediation?"

CHAT WITH MICHAEL HARTY
Yesterday we had over 20 people take part in our groundbreaking online chat with Michael Harty, Director of West Coast Programs at CDR Associates, which was facilitated by Colin Rule of the Online Public Disputes Project of Raab Associates. A transcript of the chat is now available in the thread entitled "Mike Harty Presentation" under Question 2 in the ADR Forum at:
http://www.adrforums.com

EVENT WITH GERALD CORMICK ON 6/17
On June 17 at 4pm EDT, Michael Eng of the U. S. Institute will be interviewing Gerald Cormick on his view of assessments. Mr. Cormick is an independent dispute services professional who teaches at the Daniel J. Evans School of Public Affairs and the Graduate School of Business Administration at the University of Washington, and is also a Principal in The CSE Group, an association of dispute resolution practitioners. The format of the interview will be the same as Gail Bingham's interview (i.e. telephone broadcast with the ability to submit questions online for all to see). A phone number to call in will be both posted on the site and sent out shortly.

THANKS AGAIN
On behalf of Jonathan Raab and Colin Rule of the Online Public Disputes Project of Raab Associates, our team at CONCUR, and our U. S. Institute colleagues, thanks again for your participation. We've really been enjoying reading your posts, so keep 'em coming!

Best,

Framing the Introductions to Questions

In advance of posting a question, CONCUR crafted an introduction and elaboration to the question presented. This was included with the question posted in the Dialogue and also emailed to participants, usually within a message that encouraged them to log in and notified them of other events. An example for Round II, Question 1 is shown in Figure 9.

Figure 9. June 1, 2003 Email Introducing Round II, Question 1

Question 1 Opens June 2: Our first question is intended to be provocative. We acknowledge that for many practitioners, assessment is viewed as a fairly standard element of best practice. We want to push a bit on this working assumption, and challenge each of you to consider the following:

"When, if ever, is a conflict assessment a waste of time and money? What are appropriate criteria for determining when assessments are really needed, maybe needed, or not needed at all?"

We anticipate that some of your responses might be anecdotal based on a single case; others may present your own synthesis across a whole set of your own cases or your knowledge of other cases. Still other responses might be based on emerging "policy" in your organization or practice. All responses are welcome.

Synthesizing Posts and Framing New Topics

In regard to synthesizing the Dialogue, the Project Team wrote in the Welcome email/post that it would endeavor to provide frequent syntheses of discussion to all project participants via email during the Dialogue. However, the Team indicated that it would not likely seek convergence of themes until the last few days of Round II. In practice, an email/post was sent about every three to four days to synthesize the posts, but these messages did not try to "wrap up" or bring to conclusion what was written. The number and length of the posts demanded significantly more time from the Project Team to read and synthesize than was expected. At several points in the Dialogue, the facilitators also framed new questions or challenges to amplify the posts and enliven the dialogue.

Aside from identifying the main themes of the discussion, the emails/posts synthesizing the discussion were intended to help participants get a sense as to how the online conversation had changed over the past few days, and to help ease the re-entry of participants who had taken time out from their online participation. An example of an email/post synthesizing the first three days of responses to Round II, Question 1 of the Dialogue is shown in **Figure 10**.

Figure 10.
Synthesis of Responses to Round II, Question 1 posted on June 12, 2003

What's Doing on Question 1: Assessment Always A Good Ideas?
A number of interesting posts have surfaced regarding Question 1:

"When, if ever, is a conflict assessment a waste of time and money? What are appropriate criteria for determining when assessments are really needed, maybe needed, or not needed at all?"

Respondents suggested that the necessity and utility of conflict assessments depends on these factors:

- The time and money available to conduct an assessment;
- The level of formality needed, and the work product that emerges from the chosen assessment process (from no work product to formal written report);
- The relationship between an assessment to the overall sequence of steps in the negotiation process ("Is this always appropriate as a distinct and separate process or can it be part of the initiation of a subsequent process?");
- The timing of the assessment relative to the parties' flexibility in their views ("Is there a danger that the conflict assessment will be made at a time when parties' views seem/are more polarized and that later amendments to the conflict assessment after some form of conflict management process had begun would guide us differently?");
- The nature of the conflict (dynamic vs. static, old vs. new);
- The familiarity of parties with each other and their respective positions; the apparent readiness of the parties to fully participate in negotiation;
- The amount of subtlety and nuance that can be/needs to be conveyed in an assessment, particularly in a written report.

Discussants noted that the need for conflict assessment depended on the context of the conflict.

(Continued)

Figure 10. Synthesis of Responses to Round II, Question 1 (Continued)

Respondents suggested that assessments were:

A WASTE OF TIME AND MONEY/NOT USEFUL WHEN:

- parties have a general sense that they want to mediate or collaborate, but may not know how to get it started;
- issues in disputes are too broad or two vaguely framed: another approach, such as a survey, might be more appropriate then
- the situation is clear-cut: few parties, single jurisdiction, clear issues have been articulated;
- stakeholders do not have a real commitment to an assessment, i.e. when "an assessment is used as a first step in a process because a convenor/client wants to build 'good faith' with a group of stakeholders or we're not sure how else to begin a process"
- assessments are formal, written processes–"I believe that the instances in which a formal, written assessment is both helpful to stakeholders and cost-effective are pretty limited."
- it is not performed in the context of a larger ongoing process ("I prefer to think of assessment as an ongoing or iterative process rather than a first step. I think the idea that it can be conducted one time and early on is a little naive.")

NOT A WASTE OF TIME AND MONEY/USEFUL:

- as a tool to test OUR assumptions as conflict resolution professionals
- when the intervenor's map doesn't match those of the most powerful players, or the funders of a potential collaborative process–those who would have the most influence on shaping the process.
- to do a full written assessment to manage risk, "that is, managing the substantial risk of scoping the process design incorrectly. (i.e. what issues, what time frame, possible representatives etc.)"
- to "untangle a web" of jurisdictional responsibilities and authorities
- to get the "proper level of policy, technical, and monetary commitment to a complex process"
- to "get order and focus to the cacophony of disputing voices"

ALWAYS USEFUL

- just depends on what form the assessment takes

Facilitating Synchronous Events

In advance of each of the three synchronous events, an email was sent out to encourage participants to attend the event and give them the relevant background documents and information on how to log on or call into the event. An example from Colin Rule about the Jerry Cormick event is shown in **Figure 11**.

Figure 11. Email to Participants about Synchronous Event on June 17, 2003.

Greetings--

This is just a short reminder about the interview with Jerry Cormick (Principal, The CSE Group) taking place today, June 17th, at 4pm EDT. The conference call will be hosted by Mike Eng of the U. S. Institute, and participants will be able to submit questions online for Jerry to answer. Info is available here:
http://www.adrforums.com/jerry.htm

This presentation will take place over an audio conference between 4pm and 5pm EDT. Call participants will be able to submit questions online for Jerry to address. They will also be able to view questions submitted by other participants. To submit a question and read other submitted questions just go here:
http://www.adrforums.com/jerryquestions.php

To join the presentation, dial the call-in number: (800) 268-8047

Participants do not need a Passcode. You will be greeted by an operator who will ask for your name and the name of your call. Tell them the "Interview with Gerald Cormick by Mike Eng."

You will then be connected to the call in "broadcast" mode, i.e., listen only.

The conference call will be recorded, transcribed and posted online after the completion of the call.

Jerry brings more than 35 years of experience in dispute resolution, including work on water rights in the Yakima River Basin, Mining Regulations in the Yukon, Conservation Plans for the Lower Colorado River Basin, and mediation between different branches of government in Washington state. He is currently working with the CSE Group, an association of dispute resolution practitioners (including Glenn Sigurdson and Felicity Edwards). A detailed resume is available here:
http://www.adrforums.com/jerryres.doc

Also, we've posted a short survey to get some feedback from those who participated in the other two synchronous presentations. We're very keen to get reactions from all of you, as one of the primary goals of this process is to determine which online tools are useful and which are not for multiparty conversations. If you haven't yet filled out the survey, please take a moment to do so. Just go here:
http://www.adrforums.com/survb.htm

Thank you for your participation, and we hope to see you online this afternoon at 4pm.

Colin Rule
The Online Public Disputes Project of Raab Associates, Ltd.
617-621-1518

In advance of the synchronous events, the Project Team spent a significant amount of time coordinating with the three interviewees to establish their interview arrangements and familiarize them with the technology. The various options considered were: 1) video, 2) audio (teleconference), 3) text-based chat, 4) online question submission, and 5) online PowerPoint presentation.

As described in **Section II, A: *Managing Project Technology***, a teleconference and online question submission format was chosen for use in two interviews (Gail Bingham moderated by Scott McCreary, Jerry Cormick moderated by Mike Eng), and a text-based chat format was used for one event (Michael Harty moderated by Colin Rule).

Familiarizing the interviewees with the technology involved a conference call prior to each event, the length of which varied from person to person according to the technology used and their comfort level with it. In the two teleconference plus online question submission events, the technology worked fairly seamlessly, with the interviewers and interviewees able to converse and field questions without difficulty. In the text-based chat format, however, the discussion was more disjointed as the page was constantly reloading, making it more difficult for Colin Rule to facilitate the discussion. This event was also more difficult to facilitate because it involved interaction with the entire online community, as opposed to reading questions and interacting with just one interviewee.

Maintaining and Troubleshooting the Dialogue

The task of maintaining and troubleshooting the involvement of participants was a significant part of the Project Team's work. The Project Team could opt to organize discussions by joining or splitting threads, move unrelated discussions to other forums, and open and close questions for discussion. To get participants to self-facilitate the discussion, the Team encouraged them to read the agenda and stay on topic. In general, most participants did this by responding to each question within its thread. Only a few separate threads were initiated around each question, which made it easier to facilitate because the conversation was easier to track; however, this aspect somewhat limited the scope of the conversations. When participants brought up different topics within the main thread, other participants did not often expand upon them. This might have been because participants did not have the time or interest to pursue these topics, or it may have been because they did not want to be responsible for steering the conversation "off-course" or onto another track.

In the Exit Survey at the end of the Dialogue, 13 of 26 respondents expressed a preference for a combination of having all the messages posted in a main thread and messages posted as several threads with more specific topics. Slightly fewer respondents, 11 of 26, preferred having messages posted as several threads with more specific topics, and only 2 of 26 respondents liked messages posted solely in a main thread. This was interesting because it contradicted what actually occurred during the Dialogue. In both Rounds, the initial thread to each question received the most posts, with subsequent threads receiving significantly fewer posts **(See Section IV: *Round I Findings and Results*).**

In the Welcome email/post, the Team also encouraged participants to call or email if they had any issues that might cause them to refrain from participation. Almost all of the issues raised by participants involved technical problems (e.g., logging on, posting messages, etc.) as opposed to facilitation **(See Section II, A: *Addressing Technical Difficulties*)**. During the Dialogue, most of these issues were able to be resolved within a day or two.

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III. SYNTHESIS OF THEMES ARTICULATED BY PARTICIPANTS OF THE ONLINE DIALOGUE

This section reviews and summarizes the major themes that emerged from the responses to each question in the Online Dialogue. The ideas, thoughts, and opinions presented by participants were as varied as the participants themselves, who represented a diverse cross-section of the environmental dispute resolution community. After reading over the hundreds of posts that we received over the course of the Dialogue, we have distilled the following themes, and attempt to present them in as close to their original intent and meaning as possible.[4] This section is by no means representative of all the points that were made during the Dialogue. Furthermore, we did not attempt to develop consensus during the Dialogue or in this document, and only occasionally (as noted below) did we test for convergence of opinion on a particular side of an issue. **(See Appendix A: *Round II Posts*, to review the full text of the Round Ii Dialogue.)**

ROUND I: QUESTION 1

What is an appropriate operational definition of situation/conflict assessment?

Participants pointed out that an assessment should help the parties determine if negotiation is useful in their situation. It should also help parties decide if such a process is currently viable, as well as whether and how the assessor would suggest designing the process to make it more fair or productive. Alternatively, an assessment could be commissioned without any expectations regarding some subsequent process (i.e., to glean relevant insights and lessons, and to provide an impartial, objective reference point for parties to help them determine whether or not they want to participate in a process). In short, an assessment should give parties the tools and the information they need to make an informed choice about proceeding with a conflict resolution effort.

Three terms are employed for assessments:

1. ***Situation assessment*** (when parties may be unaware they are in conflict)
2. ***Conflict assessment*** (parties acknowledge conflict and are prepared to do something about it)
3. ***Convening report*** (used to refine the design of a conflict resolution or public policy formation process)

Participants contrasted conflict or situation assessments with broader social science survey or polling efforts, which are more appropriate in situations where issues and parties are very broad and complex, and where a more extensive public involvement process is being considered. Participants also mentioned the use of less intensive “pre-assessments”—preliminary, less costly assessment tools—to determine if a full-scale assessment is necessary.

[4] This synthesis reflects a combined review of posts in both Round I and Round II, and reflects comments from multiple threads. In doing so, we found that not all the posts on a topic were necessarily posted under one question.

Several participants suggested that the objective of an assessment is to identify, to the extent possible, who will participate and in what way, what the scope of the issues will be, any deadlines, the frequency of meetings, information needed to make sound decisions, choice of the impartial mediator (if any), and other ground rules.

Assessments are undertaken in a variety of contexts, and they may have very different purposes. Some examples include:

1) ***court referred assessments***–to determine the "feasibility" of negotiations
2) ***situations of low trust***–to build rapport and strengthen relationships among parties
3) ***upstream situations***–to create a better foundation for collaboration (e.g., through an internal assessment by the sponsor or other parties).

In mediated settlement negotiations, an assessment phase is usually part of the process, if only to bring the mediator up to speed on interests, issues and potential opportunities for resolution.

Assessments often include the following key elements: 1) general description of parties and issues, 2) analysis of opportunities and barriers, and 3) process design options and recommendations, including potential participants. One suggested outline for an assessment report follows:

- Description/analysis of interests
- Identification of process goal/s
- Findings regarding potential basis for negotiation
- Likely challenges
- Recommendations on how to proceed
- Points of potential disagreement about how to proceed

There was considerable debate in the asynchronous discussions over the role of the neutral (or mediator) in the assessment process. Participants proposed two principal models of assessments: 1) a preliminary, objective assessment by a process expert, and 2) a facilitated, participatory discussion among the parties. The latter view, which stimulated significant discussion during the Dialogue, suggests that the role of the assessor should be to negotiate the construction of a shared reality among the parties involved (using appropriate facilitation or mediation services) with the ultimate purpose of moving towards a settlement of differences or initiation of a collaborative process (i.e., not necessarily to unravel the "objective" truth).

In this view, assessment is seen as an integral part of the mediation process—not a separate and distinct step before a mediation can begin. Thus, the assessor's perspective should be that of a mediator, facilitating a shared analysis among stakeholders—not as merely a process expert or analyst. For this reason, many participants feel that an assessment should generally follow the guidelines and characteristics of mediation. This view suggests that an assessment should be facilitated rather than delivered by an "expert," and therefore it is both important, and methodologically challenging, to incorporate and synthesize diverse stakeholder views. Since an assessment is viewed as an initial intervention that is part of ongoing activity—assessments should also be seen as iterative, ongoing processes.

By the end of Round I, participants had proposed several possible definitions for conflict/situation assessment. Although consensus on a definition was never the objective, a proposed (preliminary) definition could be identified from the responses received:

> *"An impartial report (oral or written) which helps prepare the path for a structured conflict resolution or agreement-seeking process. An assessment may propose a preliminary design, including potential stakeholder participants, or it could conclude that such a process is not timely or appropriate under the present conditions."*

Key Questions Raised Relating to Basic Definitions

- The influence of context: Is there a typology of contexts, goals, purposes, functions, objectives and circumstances that should help guide decisions regarding the strategic approach and selection of appropriate tools for an assessment?

- Assessment: Objective, expert analysis or negotiating a shared story? What is the appropriate role for a mediator/neutral in conducting an assessment?

- Assessor as educator: What are appropriate mutual education and shared learning objectives for an assessment?

- Assessor as cheerleader: What are appropriate aspirational elements of an assessment?

- Approach: What is the role of theory, philosophical approach, practitioner values and principles in defining the practice of situation or conflict assessment?

ROUND I: QUESTION 2

How do you use conflict assessments?

Participants identified a variety of important uses of assessments:

- ✓ Gain an understanding of the political, institutional and technical aspects of issues at stake, including an analysis of the opportunities, barriers and the prospects for facilitated negotiations;
- ✓ Get to know the parties and their interests;
- ✓ Help the parties construct or frame a shared perception of the problem;
- ✓ Begin mapping potential solution space,
- ✓ Propose process design options;
- ✓ Slow parties down to consider if this is really the path they want to take – how it's going to be done, who they represent, what the issues are, what the expected outcomes will be;
- ✓ Assess whether parties are willing to invest the time, energy, and resources to work together to seek solutions;
- ✓ Propose a "go", "no go" or "go with conditions" opinion and recommendation to parties;

- ✓ Establish rapport and trust among the parties (and with the neutral);
- ✓ Educate stakeholders about different forms of facilitated negotiations, and help them begin to trust the process;
- ✓ Create a reference or baseline document to support an end-of-mediation evaluation.

According to the results of Round II, Survey A: *Survey on Assessments*, many—but not all—practitioners begin cases with an assessment. On average, respondents reported that 41% of their mediated processes (i.e., agreement-seeking) involved conducting conflict assessments, compared to 28% for facilitated processes (consensus building/information sharing). Round I, Survey 2: *Quantitative Survey on Use of Assessments* asked the same questions. The eleven experienced practitioners who responded indicated that, on average, they collectively conducted an assessment for 59% of their mediations and 32% of their facilitated processes.

If the assessor begins with the assumption that an assessment's primary purpose is to facilitate a negotiation about the "construction of reality" among the parties (see Round I, Question 1), then a principal task will be to help identify a suitable framing of the issues that is more likely to help the parties convene and resolve their differences. Thus the assessor should work toward framing the issues in an impartial, less emotional way so that the parties can see and/or hear the varied interests concerning the issues without becoming overly defensive or judgmental.

Assessments can be situated along a spectrum, from stakeholders' own assessment of their situation (including highly participatory methods of doing the assessment) to in-depth academic or practitioner analyses. Many participants' assessments (or "mediated assessments"), however, can be placed somewhere in the middle of this range, and they can take many forms (e.g., "preliminary expert assessments" and "participatory assessments.") In these types of assessments, the level of stakeholder engagement may range from more passive participation (inform/consult) to active collaboration or even full empowerment of the parties.[5]

Participants expressed strong support for circulating a draft of an assessment report for feedback from parties. If one of the key goals of an assessment is to assist in and transition to a convening process (if the parties wish to proceed), then some back-and-forth clarification and negotiation among the parties may be required to determine an appropriate process design that meets their needs, requirements and constraints. When combined with an initial convening workshop, a draft assessment report can be an important catalyst for decision-making. However, it is important to note that the report may not need to be formalized—it could be an informal document or an oral presentation that could develop into a more formally articulated "Agreement to Proceed."

Key question related to the use of assessments

- Have other practitioners encountered "situation assessment resistance"? How can you address this concern—particularly in instances when you were convinced that such an assessment made good sense?

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[5] A similar view is suggested by the International Association of Public Participation's Spectrum of Participation. See: http://www.iap2.org/practitionertools/spectrum.html

ROUND I: QUESTION 3 AND ROUND II: QUESTION 1

Under what circumstances do you feel conflict/situation assessments are a) essential, b) optional, and c) counter-productive?

When, if ever, is an assessment a waste of time and money? What are appropriate criteria for determining when assessments are really needed, maybe needed, or not needed at all?

Participants generally agreed that assessments are essential whenever parties to a complex situation are considering a collaborative approach. Some kind of assessment, however defined, was viewed as necessary to determine how best to intervene. An assessment provides the first sketch of an evolving map, and it helps parties clarify assumptions regarding how to proceed. Reasons to do assessments might be:

1) You don't know the territory,
2) A pre-process activity that allows for limited commitment is needed to overcome reluctance of key parties to participate,
3) You have reason to believe that the timing for an intervention may be wrong, or the conditions inadequate to support a successful convening.

Participants identified the following circumstances as indicating a need for assessment: 1) Multiple, overlapping jurisdictions, 2) There is a commitment to follow-through on agreements reached, 3) There is a need for order and focus in the midst of chaos. They also suggested that assessments would be most appropriate under the following conditions:

- ➢ When there are many interests in many locations, and many confused messages flying about;
- ➢ When certain parties are already putting things in writing in a way that is neither neutral nor helpful to advancing the possibility of a productive exchange;
- ➢ When there are strong indicators of caution, e.g.[6]

    - ⇒ The larger the scope
    - ⇒ The larger the constituencies being represented
    - ⇒ The more public lands and resources that are at stake
    - ⇒ The longer the impact of potential decisions
    - ⇒ The higher potential for the case setting a precedent
    - ⇒ The greater the authority wielded by the group
    - ⇒ The greater the extent the process is mandated
    - ⇒ The more unequal the power balance among key players
    - ⇒ The more that fundamental values are at stake
    - ⇒ The more extensive and deep-rooted the conflict
    - ⇒ The greater the focus on reaching a settlement or making a decision

[6] See Dukes, E. Franklin, and Karen Firehock, *COLLABORATION: A Guide For Environmental Advocates*, University of Virginia, the Wilderness Society, and National Audubon Society, Charlottesville, VA, 2001.

Postings during the Dialogue suggested that a number of factors should be considered in deciding whether and how to proceed with an assessment (in terms of strategy, scope/scale, tools, rigor, etc.).

- Time/money available
- Level of formality (oral/written)
- Place of assessment in overall process
- Timing of the assessment vs. parties' flexibility with deadlines for decisions
- Nature of the conflict (dynamic vs. static, old vs. new)
- Familiarity among the parties and their readiness to participate
- Level of nuance, subtlety, and sensitivity that needs to be conveyed

Some of the elements identified as conducive to conducting an effective conflict/situation assessment (especially if using the participatory model) include:

- Clarity of purpose: purpose of assessment is clear to the parties involved
- Focus: boundaries of assessment activities realistic and well-delimited
- Design: procedures and terms of engagement spelled out
- Utility: a reasonable idea of how to use assessment outputs
- Leadership**:** some stakeholder commitment to initiating and guiding the process
- Trust: among and between the participants and towards the convener or facilitator
- Inclusion: inclination to include key stakeholders in the process
- Channels of communication: some effective channels already in place
- Representation: key stakeholder voices already organized
- Legitimacy: recognition of the legitimacy of different stakeholders' values and perspectives
- Openness: the ability or inclination to speak out; little inclination to hide information
- Capability: sufficient collaboration and communication skills and resources to get the job done
- Literacy and analytic skills: ability to communicate effectively in writing and analyze interpretations and process procedural proposals
- Time availability: time and flexibility to pursue assessment activities
- Organizational support: sufficient institutional interest and assistance
- Anticipated benefits: participants' anticipation that the assessment will benefit them
- Realistic expectations: reasonable expectations about what the assessment will accomplish
- Shared learning: interest in learning from each other

Participants commented that the principal responsibilities of an assessor are to: a) do whatever is necessary to facilitate the parties' ability to figure out for themselves whether and how to proceed in their situation and, b) do nothing that will have the effect of squelching, compromising, or polarizing any of the parties, and c) do nothing that will impose on the parties any of the "assessor's" judgments about what is fair or in the parties' collective interest. Implicit in this assumption/guideline is this principle: ***"the more understated the assessor's presence and the more direct the parties' control over the evolution of the process, the better."***

As indicated in Round II, Question 1, there are cases where practitioners recommend that the parties NOT proceed with a collaborative process. In fact, there are circumstances where conducting an assessment is seen by some participants as inappropriate. Some of the reasons mentioned for NOT doing assessments mentioned include:

- The issue is ripe and time is of the essence
- There are few parties and the issues and parties are well-known to one another and to the intervener
- There is limited, or single, jurisdiction
- There isn't enough money to do both an assessment and a process; and all the key parties are ready to proceed.
- One or more of the parties are strongly opposed to mediation
- Preliminary information gathering reveals one of the parties prefers litigation to negotiation—an assessment under such circumstances may serve to harden this position.
- A process is already underway—initial diagnosis suggests an assessment would not be well received by the parties.

The above factors suggest that early buy-in from parties is a critical element in deciding whether to proceed with an assessment. However, in situations where a sponsoring agency is unwilling to consider a collaborative process, there is no point in conducting an assessment. The best approach may be to move incrementally, use minimum documentation necessary, and internalize the attitude that it is up to the parties to decide if/how to proceed.

Participants noted that there are both formal and informal methods of doing assessments, as well as formal and informal ways of reporting the "findings" of assessments. In cases where parties are familiar with each other and with the issues, a formal report may not be necessary. Formal or written assessments may be more helpful when parties need to negotiate the form and function of the process, or when something catalytic is needed to overcome inertia (i.e., the assessment process builds new ownership and momentum). In some cases it may be appropriate for the parties to agree in advance to have a written assessment prepared; this agreement might address issues related to review, access and distribution of the assessment report.

Participants suggested that written assessments, in particular, could be most helpful in:

1) conveying consistent messages to broad audiences
2) laying out a systematic series of potential next steps
3) identifying issues, especially when parties are not listening to one another; or
4) when one or more of the parties want to move forward and others do not.

Formal or written assessments are often applied in conflicts involving federal agencies, where the issues and parties are more complex, there is a strong need (and important opportunity) to educate the parties through the assessment process, and where a high priority may be placed on documenting understandings and agreements.

Assessments can be viewed as an opportunity for agencies to make or test out a limited commitment to merely exploring the feasibility of pursuing a collaborative approach. In these situations, participants suggested that it is important to make clear to parties beforehand that any follow up process is contingent upon the assessment outcomes and a mutual decision to proceed.

Key Questions Related to Circumstances of An Assessment

- What approaches are appropriate where the political circumstances and support are murky and/or dynamic? Some assessors acknowledge being more "political" than others—how do these biases play out when conducting assessments?

ROUND II: QUESTION 2

What tools and methods, in addition to confidential interviews, are effective for gathering information and evaluating the likelihood of success during assessments?

Many participants agreed that the first tool is observation—a neutral must use his or her experience and skill in observing parties and processes, and these observations are an essential part of the assessment process. The use of newspaper articles, reports and review of relevant laws, (and court briefs and rulings from previous or ongoing litigation among parties), are also appropriate tools for understanding the context and setting of a dispute.

Some participants suggested checking with other neutrals who may already be working on some aspect of the situation. Mediator's confidential statements or briefs delivered by representing attorneys and mediation agreements, if available, can be helpful in gaining valuable insights into the situation. However, concerns were raised over confidentiality issues related to this documentation, as well as the risk of adopting possible bias incorporated into the other practitioner's viewpoint.

There is a natural tendency among participants to rely on the assumption that, "talk works." This view introduces a methodological bias toward more oral, face-to-face interaction rather than written forms of communication. One view is that this direct interaction is particularly important at the beginning of a process, because most individuals have a strong visual orientation and communicate a great deal in non-verbal ways. Once the process is underway, and people have established personal contact, much can be done via telephone or other forms of written communication, such as emails or memos.

While some participants suggested that oral and written communication should complement one another in an assessment, others raised concerns about the way written communication modes tend to reinforce views or demands and may harden positions. It is therefore important to craft an assessment report so that it doesn't define the issues too narrowly, since this may unintentionally result in marginalizing certain parties or make it harder for them to gain a legitimate entry point. And again, issues of confidentiality assume greater importance where written communications are utilized.

In addition to standard interviews with selected representatives (using written questionnaires or semi-structured interview formats), a variety of tools were identified as helpful in an assessment process. These include:

- Focus group interviews—especially when using a narrative approach
- Occasional meetings to assess/evaluate the process
- Community needs assessment tools
- Synchronous (e.g., interviews) vs. asynchronous alternatives (e-mail, fax, written comments)
- Use of websites to post information (e.g., background information, meeting notes, agendas)
- Use of organizations' websites to gather information (e.g., involvement with an issue, interests)
- Interactive computer-based decision support tools (e.g., Option finder or CoNexus)
- Various tools from social science and marketing (e.g., survey questionnaires)
- Use of scenarios or "potential agreement packages"
- Issue mapping

Participants also discussed whether and how tools could be deployed in the assessment process to begin eliciting and perhaps even mapping potential joint gains. One post noted, however, that we should be mindful of the principle that "the convening/assessing neutral should do the minimum necessary (no more and no less) to help parties decide for themselves whether and how it might be in their individual and collective interest to proceed together. In doing so, the neutral should take special care not to prejudge the outcome and thereby limit or otherwise bias the result—and not to prejudice any party by virtue of these assessment activities."

Key Questions on Tools and Methods

- How can we introduce more rigor and dialogue into assessments? For example, how can the use of a variety of tools compliment one another to create stronger validity and credibility?

- How do we make decisions on which tools are appropriate for which contexts? For example, which tools provide opportunities for improving stakeholder participation in the assessment process?

- Can assessment tools be used to begin eliciting and perhaps even mapping potential joint gains agreements? If so, which tools would be appropriate for determining whether joint gains (and ultimately, settlement/agreement) are possible?

ROUND II: QUESTION 3

What role should stakeholders have in designing and conducting an assessment, as well as in interpreting its findings? Whose assessment is it, anyway? What are appropriate roles for the sponsor, funder, convener, and assessor? Should the sponsor/funder or convener be allowed any special privileges? What are some of the considerations for the assessor doing, or not doing, the mediation?

A common assertion by participants in the Online Dialogue was that stakeholders should be the key designers/interpreters of assessments. Under this line of reasoning, assessments would be carried out with a stronger participatory approach. Participatory approaches advance two important themes:

1) they facilitate and improve the quality of the assessment, and
2) participation provides important data for monitoring and evaluation.

While assessments should be strongly participatory and collaborative, they can also be burdened with rather arbitrary/inappropriate conditions set by the parties (e.g., unrealistic time constraints). Another concern is that some parties may seek to use an assessment to gain a strategic advantage over others.

Participants suggested that if parties are to feel ownership for the assessment and its results, they must be free to choose (or at least ratify) the assessor (and subsequent mediator). In addition, they should be able to decide how the assessment will be used. There are good reasons (especially neutrality/objectivity) for limiting an assessor's role, and working with the parties to select the actual mediator for a process should they choose to proceed.

However, other respondents suggested that in practice, split roles (between assessor and mediator) might not be an effective way to proceed. The more deeply the convenor (assessor) gets involved, the harder the transition and the more burdensome the expectations placed on a subsequent mediator. The challenges in transitioning from an assessor to a separate mediator may include the loss of trust and rapport with the parties, loss of understanding of issues, as well as additional financial costs associated with this transition. One suggestion was to use a team approach with a division of responsibilities; thus the assessor and mediator are working closely together, and learning together from the beginning—and they can complement one another. In any case, the selection of a neutral practitioner can be challenging in an assessment process, because the assessment is often done before the parties are ready to work together. In many situations it can be difficult to engage parties and reach agreement on an assessor.

Participants also shared a number of observations about the role of the initiating agency or sponsor. While some commented on the important, positive influence of a convenor with clout (in bringing parties to the table, providing a focus or goal, and providing legitimacy, credibility and/or resources to the process), others voiced concerns about potential bias introduced by an influential sponsor (i.e., that parties may withhold certain information, feel the need for posturing, or feel coerced into participating).

In some cases, an assessment may turn out to be a strategic attempt by a sponsor to merely gain information about the perspectives and interests of other stakeholders, or to help them decide whether or not to fund and participate in a process. This raises the question of whether this is an appropriate role for a neutral practitioner (who would presumably be working to represent all parties) vs. agency personnel or a consultant (working on behalf a particular party or agency).

Funding was also seen as having critical influence on assessments. A practitioner should be clear with parties about the source of funding and seek ways to mitigate any potential influence due to the source of funding on the process. One key way to do this is to remind the parties (and, as appropriate, get this written into contracts) that he/she serves only at the separate and joint pleasure of the parties.

However, given the potential biases that funding can introduce, exploring alternate funding mechanisms (i.e., outside the parties) can help ensure neutrality. Some suggestions in this regard included securing grants from outside funding agencies and encouraging that neutral institutions conduct assessments. One practitioner suggested providing some or all of the initial assessment work on a *pro bono* basis, but this may be a unique and less than pragmatic approach for many practitioners.

Key Questions About Roles

- In practice, mediators and facilitators are often selected by the sponsoring agencies after they have made a unilateral decision to proceed with a conflict resolution or public policy formation process. An assessment conducted under such circumstances is likely to focus not so much on "whether" a process should take place, but rather on how it should be designed, who should be involved, and how to get participants to the table. What steps can be taken to help ensure the integrity of an assessment process conducted under these circumstances?

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IV. FINDINGS AND RESULTS

ROUND I: FINDINGS AND RESULTS

The Project Team presented Round I findings and results at the Association for Conflict Resolution's Environment and Public Policy Section meeting in Washington, D.C. in April 2003. The presentation discussed the project's background and the Round's format, questions and participants, the nature of the posts, and experience facilitating the Dialogue.

Over the course of Round I, the Team found that participants posted 154 messages within 20 threads. The number of posts per participant ranged from 3 to 19, with an average of 7 posts per participant. The most popular posts were (in order of number of views received):

- "Assessment Tasks/Approach" in Question 1 by Gail Bingham
- "Benefits of a Draft Assessment Report" in Question 2 by Mike Eng
- "When Is Assessment Essential?" in Question 3 by Scott McCreary

Most messages were posted in the first ten days of Round I (Figure 12), and most activity occurred during the late afternoon. Activity declined as the Dialogue progressed:

- Question #1 generated 33 posts in 11 threads
- Question #2 generated 22 posts in 6 threads
- Question #3 generated 27 posts in 3 threads
- Question #4 generated 12 posts in a single thread[7]

This pattern of declining participation was repeated in Round II. Over the course of Round II, participants posted 125 messages within 35 threads. The number of posts per participant ranged from 1 to 16, with an average of 5 posts per participant.

- Question #1 generated 49 posts in 8 threads
- Question #2 generated 20 posts in 4 threads
- Question #3 generated 15 posts in 4 threads[8]

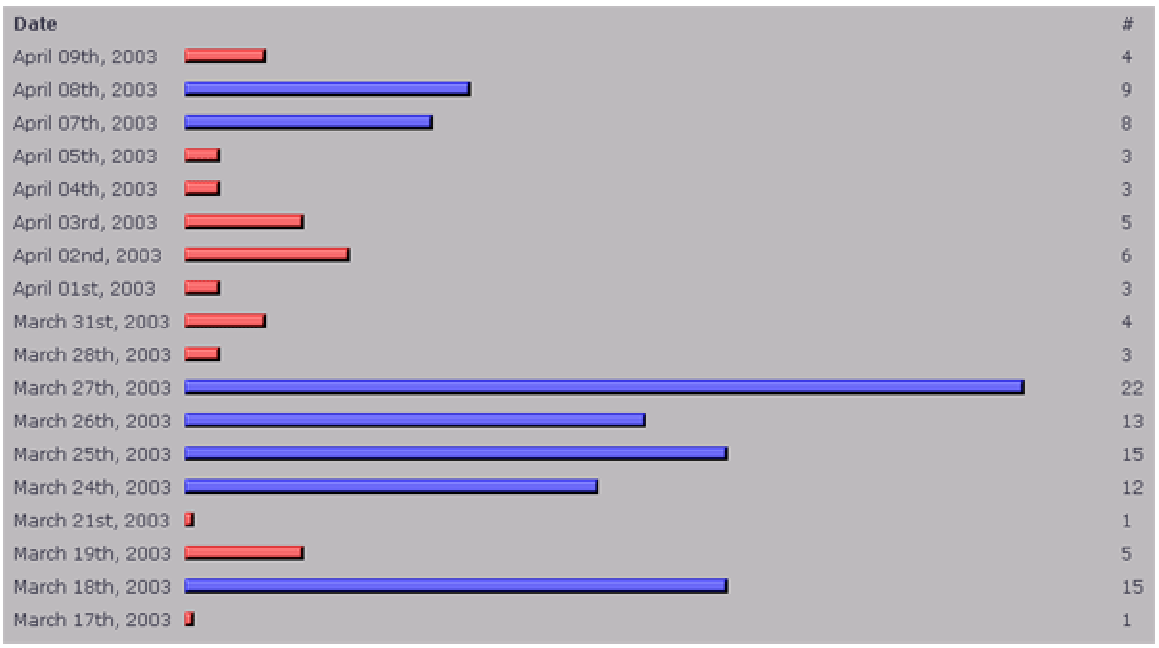
Participants appreciated the ability to quote other posts, and wanted to be able to respond directly to a post when a reply was posted directly to their email inbox, a feature that should be included in future Dialogues.

While each thread generally contained posts that continued on with the topic that started that thread, there were also single posts that covered several topics and contained responses to different posts. This proved a challenge to facilitate, as the Team had to track many conversations in different places. The most challenging aspects of facilitating such a discussion were:

[7, 8] These figures do not include threads and posts generated by the Project Team.

- The challenge of "herding" one's colleagues towards a specific topic (there were several interesting judgment calls about how much pressure to exert on the discussion).
- The tension between wanting to test the intrinsically asynchronous nature of the platform and the temptation to get involved in a more conversational style.
- The tension between using the "gee whiz" online tools and letting the conversation evolve in an organic fashion.

Figure 12. Round I Posts by Day



After Round I, these challenges prompted the Team to consider a few experiments in Round II. Specifically, the Team opted to create events with more hands-on facilitation within brief synchronous conversations, which evolved into the three synchronous events of Round II. The Team also discussed having more topics open concurrently, because it was felt that more participants could lead to a more lively discussion. Based on participant feedback, it was decided to keep the questions in Round II open until the end of the Round.

Other feedback from participants and the Steering Committee included a suggestion to experiment with a more goal-oriented subgroup; however, the Project Team felt that asking for best practice recommendations would be premature. Other comments included requests for more summarization and for more facilitator intervention to spur discussion; both suggestions were incorporated into plans for Round II.

During the discussion section of the presentation at the Association for Conflict Resolution's Environment and Public Policy Section conference, the Team was posed a number of interesting questions:

On technology and communication:

- Was the technology easy to follow and understand? What kind of learning curve did it entail for the users?
- What kind of technological barriers did participants perceive or experience? Were there conceptual/experiential barriers to participation?
- What kinds of technology and/or communication barriers are experienced when there are gender, age, cultural, racial or computer-literacy differences?
- At what point in a conflict resolution case should this technology be used?
- Is this tool more appropriate for some kinds of cases than others?

On facilitation:

- How did you deal with the asynchronous aspect of the dialogue?
- How do you synthesize and manage online ideas to come to a conclusion?
- How do you get people to stay on topic and then post a new thread when they change topics, in order to keep the dialogue focused?
- How do you limit misinterpretation of people's postings due to the differences between spoken and written dialogue?

On participation:

- To what do you attribute the fact that participation was less than you forecast? What could be done about that?
- How do you encourage "virtual wallflowers" to participate?
- Is there a limit to how many people can participate? What are the logical break points for sizes of groups, or are there any?

From the type of questions asked, it was apparent that the attendees of the presentation were more interested in the process of the Dialogue than the content. This may have been because of the lack of conclusions reached in the Dialogue, and also because attendees were interested in the applicability of this process to their own work.

ROUND I, SURVEY 1: INTRODUCTORY SURVEY

The first survey in Round I basically asked participants for their name, address, email, and phone number. This survey was deployed after participants had read through the ground rules and participation guidelines, and it served as a means to collect participants' most current contact information.

ROUND I, SURVEY 2: QUANTITATIVE SURVEY ON USE OF ASSESSMENTS

The second survey was a brief quantitative survey that asked participants two questions:

1. Approximately what percentage of the multi-party cases over the last 5 years that you mediated or participated in where parties were negotiating agreements (i.e., consensus-seeking) began with a formal conflict assessment?

2. Approximately what percentage of the multi-party cases over the last 5 years that you facilitated or participated in where parties were sharing information or providing advice but not negotiating formal agreements (i.e., consensus-building) began with a formal conflict assessment?

The eleven participants who responded identified that on average, they conducted assessments for 59% of their mediation or consensus seeking cases, and for 32% of facilitated cases that focused on information sharing or providing advice.

ROUND I, SURVEY 3: ROUND I FEEDBACK/ROUND II PREFERENCES SURVEY

At the end of Round I, eleven participants and four Steering Committee/Project Team members responded to the Round I Feedback/Round II Preferences Survey, which asked five questions:

1. ***If you didn't participate in the threaded discussion or participated much less than you originally expected, please help us understand why (e.g., your availability, technology issues, uninspiring questions, etc.).***

   Participants responded with a number of reasons:

   - Had more pressing commitments, got busy
   - Time required to review and generate posts
   - Personal factor intervened (family demands, illness, etc.)
   - Felt more like a process observer than an actual participant
   - General tendency to listen and reflect before jumping in
   - Conversation was much more conceptual than anticipated
   - Was represented by other colleague
   - Lack of conclusion within Dialogue left respondent disinclined to participate
   - When online traffic was slow, there was little to respond to, so person started to lose interest (respondent suggested that "it might be good to arrange to have some committed 'plants' who would be willing to 'seed' the initial conversations with some provocative ideas to get things rolling and then also develop them a bit").

2. ***Did you feel the questions were appropriate and properly sequenced? Could you also comment on whether you believe it's more valuable to have "definitional" type***

questions (what's a conflict assessment?) or "provocative" questions (when are conflict assessments counter-productive?), or both?

In general, most participants felt that the questions were appropriate and well sequenced. While a few respondents valued both types of questions, most felt that provocative questions were more interesting and stimulated discussion better. One person felt it was appropriate to begin with definitional-type questions; however, others thought the definitional question was presented too early and was too semantic.

3. ***Please comment briefly on your online experience in terms of the substantive interchange with your colleagues. (Was it intellectually stimulating? Did it push your thinking?)***

Most respondents found the Online Dialogue stimulating and thought provoking, and felt it was a good learning experience and a useful way to share ideas. Several respondents noted that a significant benefit was being able to read their colleagues' perspectives on conflict assessments, and they also liked the informal tone of the conversation.

One respondent felt that there were too many issues going off in too many directions in insufficient depth at times. Another wrote that although the postings were interesting, many seemed logical and appropriate, and therefore only marginally pushed his thinking. Others expressed frustration at the lack of a specific work product (such as a consensus definition of "Situation Assessment") as a goal for the conversation. Another noted that some interesting topics were not pursued, as the new threads would lead the conversation in other directions. Still another view was that although the Online Dialogue it was not nearly as satisfying as having a conversation, it would have been a good lead in to a face-to-face conversation.

One respondent felt it was difficult to move from one comment to another, and was unsure that she had read everything that had already been said on any given point.

4. ***Please comment briefly on your online experience in terms of the ease or difficulty of using the threaded discussion technology (i.e. logging on, accessing a question, responding to comments or starting new threads. Also, if you sought assistance on technology issue, was it helpful and timely?***

Most respondents did not have any problems with technology. Of those who did encounter difficulties, most had them resolved within a day or two. Some found the threaded discussion difficult to follow, and were frustrated by not being able to respond directly and immediately to someone else's statement because there were other intervening responses that interrupted the logic of the discussion they wanted to have.

One respondent also mentioned that he was unsure about whether to put his responses under a single thread or to start another thread. Another person felt it was confusing to differentiate between threads and replies, and another found the extra steps of logging on and pecking through the structure to be annoying. In comparison to other technologies, one respondent found this format more challenging and complicated than using listserve/real-time type e-mail conferences. Two respondents commented favorably on the "quote" function and the email alert subscription option, although these were not heavily used during the Dialogue.

5. ***Based on your experience, what's a realistic amount of time we should expect from participants (per day, per week)? And, is two weeks an appropriate timeframe for a round (should it be shorter/longer)?***

   Responses to this question ranged from 30 minutes to one hour-per-week at most, to 30 minutes to one hour-per-day. The average response was between two to five hours per week. About half of the respondents felt that three weeks was an appropriate timeframe for a round, while the other half felt that two weeks was an appropriate timeframe.

ROUND II, SURVEY A: SURVEY ON ASSESSMENTS

In Round II, the Project Team sent out an initial survey before the round began. Twenty-nine participants responded to this survey, which first repeated the two questions asked in Round II about their use of conflict/situation assessments. Respondents' answers indicated that on average 41% of multi-party cases that they mediated or participated in over the last five years began with a formal conflict assessment when the focus was on negotiating agreements (i.e., consensus-seeking). On average 27% of their multi-party cases began with a formal conflict assessment in which parties were sharing information or providing advice but not negotiating formal agreements (i.e., consensus-building). The survey then asked three more questions:

1. ***What are the most critical challenges you have faced in conducting conflict or situation assessments?***

   Many participants identified having time and funding for the process as two significant challenges to conducting assessments. Other challenges included:

   - Educating parties about the need for and purpose of an assessment
   - Getting parties to agree to participate
   - Convincing convenors that the assessment is worth the investment
   - Getting agency sponsors to agree to inclusive and open-ended processes
   - Building trust and a shared understanding of the conflicts
   - Obtaining accurate and unbiased information
   - Deciding about the structure, formality, and confidentiality of an assessment
   - Developing clear expectations about the goals of the assessment
   - Determining the role of participants in planning an assessment
   - Dealing with political forces and how they affect consensus-building processes

2. ***What are some of your basic principles or underlying philosophical assumptions about conducting conflict or situation assessments?***

   Some principles that participants mentioned included:

- Fairness and impartiality towards all parties in conducting the assessment
- Transparency and clarity of the purpose and procedures of the assessment
- Independence of the assessors (from the sponsor)
- Accountability of the assessor for the final deliverable product of the assessment
- Respect for confidentiality requested by participants
- Careful consideration for the sensitivity of various issues
- Sensitivity to parties' reluctance to make initial formal commitments to engage in a conflict resolution process, at the same time recognizing that parties must be truly willing to participate before the process can occur.

Some underlying philosophical assumptions mentioned by participants were:

- An assessment provides the mechanism for determining whether a situation is appropriate for a consensus approach;
- As far as practicable, stakeholders should be involved in crafting protocols and in participating in information gathering and interpretation; and
- There is always more than one version of the problem to be addressed.

3. ***What would you like to learn about the practice of conducting assessments?***

Respondents identified a wide range of learning opportunities regarding conducting assessments. The most commonly cited topics included:

- How to conduct assessments most efficiently
- How to proceed when the process is under-funded and under a time constraint
- Techniques for helping parties and convenors understand the need to commit resources for an assessment
- Building understanding for the need and for appropriate compensation for this work
- How to organize and present input so that it contributes to a shared understanding without leading the process in one direction or another
- How to share results without violating confidentiality
- How to engage major stakeholders who don't perceive any gain in participation.
- The application of various alternative methods for conducting assessments, including polling and social survey, web-based technologies, broad public dialogue forums;
- Innovative ways of enhancing stakeholder participation in assessments
- Different approaches and methods other practitioners have successfully used to define issues and establish processes for conflict resolution or prevention

ROUND II, SURVEY B: SYNCHRONOUS EVENT SURVEY

This survey queried participants about the two synchronous events that had taken place thus far: the teleconference plus online question posting event with Gail Bingham, and the online text-based chat with Michael Harty. The survey asked participants about what they found most valuable about each event, what they liked most, what they would improve, and how they could envision using a communication platform like those featured in these events. Nine participants responded to this survey. On a scale of 1 (not valuable) to 6 (very valuable), participants gave Gail Bingham's event an average rating of 3.4. They liked Gail's description of the case, enjoyed listening to her insight and experiences, appreciated the discussion of the assessment and the dispute dynamics that drive assessments, as well as the moderation of the call and the ability to see the questions as they were posted.

Respondents suggested improving upon the organization of questions by having the speaker not respond to them until the moderator put them in a logical order. Some would have liked the discussion to be more structured by having the event participants read all the materials in advance, and by having a set of organizing slides. Participants mentioned that the call could have been done in the form of a teleconference that allowed all parties to speak and ask questions. They also felt that more time for questions from the audience would have been beneficial. One person noted "it would have been interesting if the moderator had referred back to the content of our online dialogue and asked Gail to comment on the themes and how they did or did not jibe with her experience." Another noted that too much time was spent on the details of the case and not enough on assessments in general.

Participants could imagine using this communication platform for information sharing to develop a common information base in a collaborative or consensus process, to teach or present a report, to provide initial orientation for a project involving geographically dispersed participants, to clarify technical issues (as opposed to contentious social issues), to enable stakeholders to query a panel of experts, or for people to "meet" and vote on an issue that had already been extensively deliberated.

On a scale of 1 (not valuable) to 6 (very valuable), participants valued Michael Harty's event an average of 2.875. They liked the assessment that was discussed, and appreciated having it available in advance of the event. One participant wrote, " I liked the case, the response to questions and the information that came out. I liked Mike's pointing out the challenges and the differences in approach. Having a "non-mediated" model was good, as well as having info about the resulting policy."

This event prompted many responses about how the design could have been improved. Participants felt that the questions interrupted the flow of the discussion and recommended that the moderator organize them, or that participants ask questions in turn. They also found the discussion slow, and wrote that it may have helped to have some initial questions posted or pre-submitted. Participants also complained about the lack of depth in the conversation due to the medium in which it was held, and found the chat room not very inviting or user friendly. In this case as well, participants mentioned that they would have liked to spend more time reviewing the materials before the call.

Participants wrote that this communication platform could be used as a way to follow up to on another kind of presentation, or for idea generation/brainstorming purposes. One participant suggested that this format could be used "for leaders and possibly also for participants to review meeting or workshop reports and discuss implications for substantive solutions and next steps in the process. It might be a way to engage elected officials without having to get them to a meeting."

Of the six people who participated in both events, five preferred Gail's presentation, and one liked them equally. Participants wrote that Gail's event was easier to follow and more engaging, and was a better format in which to discuss a complex topic.

ROUND II, SURVEY C: EXIT SURVEY

After the conclusion of Round II, the Project Team sent out a survey querying Round II participants on their experience with the Online Dialogue. The Team received 26 responses out of 38 active participants. **(See Appendix F: *Round II, Survey C*: *Round II Exit Survey and Results 1-5*, for complete survey results.)** The substantive content and the exposure to the technology used for conducting online dialogues were equally valuable to participants. Both averaged 8 on a scale of 1-10 (10 being highest).

There were a total of 26 responses to the question concerning which aspects of the Online Dialogue had the most value. The responses were distributed over three categories: 1) Technology, 2) Ability to exchange ideas with other practitioners, and 3) Interviews with practitioners of the Online Dialogue. As mentioned in Section I: *Introduction*, 46% (12 of 26) respondents identified the ability to exchange ideas and experiences with other practitioners as the most valuable outcome of the Online Dialogue. Several of the participants commented that they enjoyed sharing their experiences and challenges with others. One participant suggested, "…The dialogue was a great way for a non-practitioner to learn."

Twenty-three percent (6 of 26) respondents identified the opportunity to utilize and learn new technology as the most valuable experience of the Online Dialogue. Three of these participants also commented about the convenience of the technology. Further, 16% (4 of 26) respondents identified both technology and the "rich exchange of ideas" as the most valuable.

Finally, 8% (2 of 26) respondents identified the interviews as the most valuable part of the Online Dialogue, and another two most valued a combination of the interviews and the exposure to new technology. Two of these four respondents specifically identified the Gail Bingham discussion as the most valuable outcome of the Online Dialogue.

In terms of the technology used in the project, 63% (12 of 19) respondents wrote that they might use the online discussion technology, 59% (10 of 17) might use online polls, and 54% (7 of 13) might use the synchronous technologies. Sixty-seven percent (18 of 27) respondents wrote that one-to-two hours-per-week was a reasonable amount of time to ask from participants, and 59% (16 of 27) felt that two weeks was the optimal length for a Dialogue.

In regard to technical problems experienced during Round II, eleven (41%) respondents had some problem arise; sixteen (59%) had no technical difficulties. Most of the problems were ascribed to login procedures, accessing certain areas of the Dialogue, posting messages, using quotes, participating in the synchronous events, and sending private messages.

Most respondents felt that the level of facilitation was just enough. About a quarter of the respondents replied that there was too much, and another quarter that there was not enough facilitation of the Dialogue. In terms of the usefulness of various facilitation efforts, 56% (14 of 25) indicated 8 or higher (on a scale of 1-10, 10 being highest) on the usefulness of prefaces, and 59% (16 of 27) responded 8 or higher (on a scale of 1-10, 10 being highest) on the usefulness of periodic responses and syntheses.

When asked what was least valuable about the Dialogue, most participants cited the online text-based interview. They also indicated that the asynchronous discussion format was sometimes hard to follow. However, participants considered the level of facilitation appropriate. They felt that the utility of the technological tools employed depended on the type of practice and likely audience/participants, and cited a lack of time as their main obstacle to participation. Overall, participants considered the Dialogue very valuable, and all respondents expressed an interest in participating in another Online Dialogue on best practices.

Participants suggested a number of potential changes for future Dialogues. One recommendation was to include more live, interactive events (Q&A sessions, call-ins, etc.), and even more regular synthesis of discussions. Some suggested that it would be worthwhile to try to achieve consensus on ideas and then use the results to refine concepts discussed in the Dialogue. Others suggested that the format be used to conduct a facilitated discussion based on pre-sent reading materials, outlines and pre-discussion questions.

Respondents were divided about the merits of a small versus a large pool of participants. For example, some felt that a small, dedicated group focused on a specific topic could best use an online dialogue. Others wrote that it would be better with more participants and a broader range of topics. Some participants wanted more and shorter dialogues with less time to answer questions, while others preferred a longer time span to interact via email.

PRELIMINARY ANALYSIS OF ANSWERS TO SELECT SURVEY QUESTIONS

Since the surveys yielded an enormous amount of information, the Project Team decided to analyze a few select questions in order to draw out some useful conclusions for future online dialogues. We focused on two topics: 1) what participants wanted to learn about assessments and other "best practice" issues, and 2) how participants would use the technology in the Online Dialogue.

Topic 1: What participants wanted to learn about assessments and "best practice" issues

This topic was derived from two questions posed in two different surveys. Round II, Survey A (Question 5) asked participants, "What would you like to learn about the practice of conducting assessments?" Round II, Survey C (Question 6, Part 2) asked, "If you participated in another Online Dialogue about “best practice” issues, what topics would you like to see addressed?"

Although the respondents identified numerous issues and areas of interests, there were only a few ideas that resurfaced repeatedly in their responses. There appeared to be an interest in discussing specific challenges that conflict resolution practitioners face, such as how to effectively manage financial realities, marketing to stakeholders and confidentiality issues. Two of the respondents specifically mentioned a dialogue centered on learning from past failures. There was also a high interest in learning new methods and tools from other practitioners. We noted that the desire to share and exchange ideas with other practitioners resonated in respondents' answers to other questions as well. For instance, 46% of the respondents in Round II, Survey C (Exit Survey) stated that the most valuable part of the Online Dialogue was the ability to exchange ideas with others. In short, while a discussion forum on one of the aforementioned topics may garner some support, it appears that participants would be most interested in a forum or workshop that was organized to allow them to exchange ideas for how to best manage a particular assessment process.

Topic 2: How participants would use the technology of the Online Dialogue

This topic was also derived from two questions posed in two different surveys. Question 27 of Round II, Survey C asked, "In your own work, when and under what circumstances could you see using: a) threaded online discussions, b) online polls, and c) synchronous chats?" Questions 4 and 8 in Round II, Survey B asked, "How could you envision using a communication platform like those used for Gail Bingham and Michael Harty's events, and for what application?"

The chart in Figure 14 summarizes the situations in which respondents could envision using these different technologies. These situations included group projects, education and training, gathering broad public input, consensus building, and brainstorming and gathering information.

Although there were other situations mentioned as well, such as orientations, ACR committee work, professional conferencing and public meetings, these were the primary ideas identified. Overall, it was evident that participants felt the tools could prove useful in their practices. Their responses also emphasized that the tools were especially valuable for projects that involved geographically dispersed participants. In short, the responses indicated that ideally, respondents would like to incorporate online tools with real-time processes such as training or brainstorming. However, if necessary, some online tools and processes would be effective for conducting meetings or group projects entirely online.

Figure 14. Situations In Which Respondents Would Use Asynchronous Event Technologies

	Group Projects	Educational Purposes/ Training	Gathering Broad Public Input	Consensus Building	Brainstorming/ Gathering Information
Asynchronous Threaded Discussions	x	x			x
Synchronous Event Technologies	x				
Online Polls			x	x	x
Text-based Chat (Harty)	x				x
Text-based Chat & Teleconference (Bingham)	x	x		x	x

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V. LESSONS LEARNED FROM THE ONLINE DIALOGUE

This exploratory effort offered many important lessons that should help inform future online dialogue initiatives. Fortunately, the two-part structure of Phase One enabled us to incorporate the considerable learning and insight gained from Round I into Round II. The most significant findings from both Rounds are elaborated upon below. We hope that these findings are beneficial to dialogues and other online endeavors.

OVERALL LESSONS LEARNED

1. Managing an online dialogue involves many iterative choices

Designing and implementing the Online Dialogue was a multi-faceted activity that required a significant allocation of effort and attention. As described in this report, this included three broad tasks: 1) managing project technology, 2) convening the online dialogue, and 3) facilitating the asynchronous dialogue and synchronous events. Each of these three broad tasks had many components. Figure 15 enumerates over a dozen discrete kinds of tasks that needed to be carried out.

Figure 15. Tasks Involved in Managing the Online Dialogue

1) Managing Project Technology

- Evaluating and selecting the asynchronous discussion platform and its functions
- Planning and conducting synchronous events
- Articulating goals and outcomes of the synchronous events
- Designing and deploying surveys
- Addressing technical difficulties
- Adapting lessons learned about online technologies

2) Convening the Online Dialogue

- Developing questions to focus the dialogue
- Recruiting and organizing participants

3) Facilitating the Asynchronous Discussion and the Synchronous Events

- Welcoming participants to the dialogue
- Communicating instructions to participants
- Composing emails and posts to participants
- Framing the introductions to questions
- Synthesizing posts and framing new topics
- Facilitating synchronous events
- Maintaining and troubleshooting the dialogue

Within these tasks, an iterative series of choices needed to be addressed in relatively short order. These included developing the criteria for the selection of an asynchronous discussion platform; deciding on the number and sequence of questions to ask in each Round, as well as the length of time each question should remain open; determining how aggressively to reach out to enrolled participants; and agreeing on the frequency and type of facilitation and/or intervention in the Dialogue.

2. **A cohesive project team is key to successful implementation**

Teamwork was critical in facilitating the Online Dialogue. This exploratory project turned out to be considerably more time-consuming and detail-oriented than was first anticipated; it required a level of effort that should not be underestimated. The active dialogue stage required at least three active team members at any time, with both individual and team responsibilities for technology maintenance, participant organization and discussion synthesis.

3. **Complex topics are best discussed using multiple formats**

Through the surveys and our own experience with both synchronous and asynchronous parts of the Dialogue, we reached the conclusion that for a conceptually complex topic such as a Situation Assessment, a mixed format of real-time and online discussions would be more effective than a thoughtful online discussion alone. Because participants wanted more direct contact with each other around the topic than the asynchronous, text-based dialogue forum would allow, we added the asynchronous events in Round II.

4. **Linking online and real-time discussions could deepen the conversation**

While the synchronous events enabled more direct contact among participants, closely coordinating the subject matter of the asynchronous and synchronous events could have helped further deepen and broaden the discussion. Even though the moderators sought to incorporate some themes from the asynchronous dialogue into the interviews with Gail Bingham, Michael Harty and Jerry Cormick, we found that the case-based nature of the discussions precluded an in-depth cross-referencing of topics.

As a result, we saw that relatively little of what had been written in the asynchronous dialogue was mentioned in the synchronous events, and correspondingly, there was fairly limited impact of the synchronous events on the online discussion. Finding ways to more strongly coordinate the topics of the two forums might have generated more discussion during the Dialogue. On the other hand, a completely asynchronous dialogue might be better able to maintain the open engagement of participants who have a high level of technical sophistication.

5. **Surveys were useful in gathering feedback within a multi-step process**

Since online surveys yielded a large amount of information in a relatively short amount of time, they were very helpful tools in enabling the Project Team to adapt the project to user preferences. Surveys were particularly useful in deciding on the questions for Round II, as we first elicited potential questions from participants and then had them rank them. In addition, vBulletin's online survey feature made close-ended questions very easy to tabulate. Open-ended questions, however, may generate more data than can be synthesized into the available time.

6. **The Online Dialogue provided a welcomed opportunity to learn from other colleagues**

Most respondents to the surveys found the Online Dialogue stimulating, and felt it was a good learning experience and a useful way to share ideas. Several respondents noted that a significant benefit was being able to read their colleagues' perspectives on conflict assessments. They also liked the informal tone of the conversation.

7. **The Online Dialogue built on and generated new questions about assessments**

The Dialogue helped to examine some well-known questions relative to conflict assessment and to frame several new questions. For example, we explored the role of the assessor relative to the mediator, and probed the value of creating a typology of assessment ranging from situation assessment to conflict assessment. In addition, several new topics were explored; including asking under what circumstances is an assessment not a good idea, and what new tools (other than interviews) could be used in structuring an assessment.

FACILITATION LESSONS LEARNED

1. **Sequencing questions in the Dialogue made it easier to facilitate**

Framing an agenda for online discussion with a sequenced question format was somewhat easier to facilitate than one with multiple open threads. While the Project Team was unable to draw strong conclusions from survey results about participants' preferred format for the Dialogue; it was apparent that the time required to manage the Dialogue generally favored a sequenced question format.

2. **Participants' postings required frequent active management and encouragement**

We encountered several sources of "posting resistance" that were identified during the Exit Survey, such as participants not posting because their points were already addressed by others, or because they did not have enough time to write what they wanted to say. We tried, in our own posts, to encourage the more reticent participants to contribute, and to make it easier by writing regular syntheses of the posts to the Dialogue.

While the Exit Survey indicated that most participants preferred creating several different threads in response to a question, practice showed that most participants responded within the initial thread. Therefore, facilitators need to choose which style they will adopt (more structured vs. more organic) in managing the discussion.

3. **<u>Sustained outreach to participants was key to maintaining active participation</u>**

Recruitment and sustained interaction and outreach to potential participants were vital in creating a robust pool of online participants. We experienced 40% attrition in the participation of individuals who enrolled in Round II of the Online Dialogue as "active participants."[8] One way to respond to this attrition rate would be to set the recruitment goal approximately 40% higher than the anticipated optimal number of active participants in future online forums. Nonetheless, we caution against making automatic over-recruitment assumptions that could lead to more participants than can be effectively managed. Ultimately, recruitment goals should be based on a judgment of the anticipated enthusiasm for the topic and the technical savvy of the target audience.

Consistent outreach via both emails and posts was also necessary to get individuals to participate. In general, the number of postings rose after communications were sent to remind participants to log in and contribute. This was especially true for emails and posts sent by the Project Team that synthesized themes from the Dialogue. Sustained outreach was also necessary to keep the discussion moving forward. We found that after about four days, the number of new posts to a question declined, so a post or synthesis from a facilitator was needed to stimulate and further the discussion.

TECHNOLOGY LESSONS LEARNED

1. **<u>Thoughtful selection of technology platform is important to an online dialogue</u>**

It was important to choose the appropriate technological platform for the purpose intended. The utility of a technology must be weighed against its complexity, the cost (in money and time) required to set it up and maintain it, and the learning curve of its users.

A specific goal of the project was to use technologies that were available at low or no cost, that participants might be more likely to deploy in their own processes after this particular project concluded. The Project Team, working with colleague John Helie, took care to specifically articulate a series of selection criteria, and then evaluated candidate platforms with respect to the criteria.

Some of vBulletin's functions that met our criteria included an intuitive, flexible interface; excellent threading capability with edit and move options for facilitators; web-based administrative control, private messaging, chat options and a survey function; the ability to tune in or out of specific dialogues; and a wide range of security options.

While vBulletin proved an appropriate platform for this project, it may not be appropriate in other situations. Likewise, while text-based chats are useful in chat rooms, they proved to be an inadequate format in which to conduct a complex conversational discussion on assessment practices.

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[8] That is, 40% of the individuals who registered as active participants in Round II did not write any posts.

2. **<u>Well-trained technology staff are necessary to manage an online dialogue</u>**

   Though technology has become much less expensive and complex, expertise is still required to install and deploy these tools and to use them confidently in large processes. The Project Team was fortunate to have a strong technical expert on this project (Colin Rule). In retrospect, we see that it would have been helpful to have one more team member equally well trained in managing the technology to support him.

3. **<u>Participants' technological capacity cannot be assumed</u>**

   In a dialogue on a public policy topic, technological savvy on the part of participants cannot be assumed; it needs to be reinforced and supported. The majority of practitioners in non-technical fields (such as ADR) may lack deep or extensive technological expertise. Therefore, processes must be designed to allow sufficient time for participants to learn how to adequately use these tools.

4. **<u>Responding to technical problems and user comfort issues is critical</u>**

   The experience using vBulletin and its various functions varied greatly among participants. Some found it very intuitive, while others found it quite complicated. The technical problems that participants encountered were, for the most part, minor. They ranged from incorrect login names and passwords to not being able to access some parts of the Dialogue due to the use of a different web browser. In general, there were no insurmountable technical problems. However, we noted that even very small technical glitches caused great consternation to some participants, regardless of their computer literacy. Therefore, responding to technological problems in a fast, pleasant and effective manner was of the utmost importance.

VI. POSSIBLE FUTURE EFFORTS

The Online Dialogue's postings contain a wealth of professional insights from a wide range of practitioners. They merit further review and additional analysis. The survey results could also benefit form additional analysis. Four of the six surveys yielded useful quantitative and qualitative data on participants' experiences conducting assessments, as well as their experiences and preferences regarding online discussion forums.

It would also be worthwhile to further explore a number of the preliminary findings the emerged from the Online Dialogue. Since no conclusion or consensus was reached during Phase One, it would be useful and of interest to environmental dispute resolution professionals to assess the validity of some of these findings. The U.S. Institute will convene a one-day section workshop in May 2004, at Association for Conflict Resolution's Environment and Public Policy Section meeting in Portland, OR to consider some of the preliminary findings from the Online Dialogue. In addition, Project Team members anticipate submitting articles to professional alternative dispute resolution journals about the Online project, as well as on the emerging best practices for conducting assessments.