

## Appendix A:

### Round II Archived Postings

Compiled 8-1-03

Participant Introductions

[◀ Last Thread](#) [Next Thread ▶](#)

Author  
Thread



#### Colin Rule

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

##### Welcome from Colin

I am very pleased to be a part of this auspicious and groundbreaking conversation. I must say it is very gratifying to have such a distinguished group of practitioners utilizing technology in this way. I hope that all of you have a positive experience, recognize the potential of these tools, and make this working group the beginning of many such dialogues to come.

As to my background, I've been in the dispute resolution field for more than a decade now. I've worked at the National Institute for Dispute Resolution in DC and the Consensus Building Institute in Cambridge, MA, but most of my in-depth exposure to public dispute resolution has been through my work with Raab Associates over the past year. One outcome of that work has been the development of the Online Public Disputes Project (OPDP, at [www.publicdisputes.org](http://www.publicdisputes.org)) -- I am currently Director of the project, and we developed the website and discussion forum we're using to support this conversation.

I've always been a "geek" (in the non-pejorative sense, hopefully), and I enjoy working with technology, so it was a natural for me to transition into the world of online dispute resolution (ODR) once it began to develop four or five years ago. I was general manager of mediate.com for a while and then spun off a separate ODR company called Online Resolution. Now I'm a fellow at the Center for Information

Technology and Dispute Resolution at UMass-Amherst and the Co-Chair of the Online Section of ACR.

I've written a book on ODR for Business that Jossey-Bass put out last year and now I'm interested in writing a book on ODR for Government. I hope this conversation (and the experience of all of you in trying out these tools) can contribute to my thinking on that subject.

I look forward to speaking with and getting to know all of you, and please make sure to contact me or to post a message in the technology forum if you have any questions or concerns about the tools we're using.

[Report this post to a moderator](#) | IP: [Logged](#)

05-30-2003 12:39 PM



[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**



## **Tom Fee**

Registered: Mar 2003  
Location: Freehold, NJ & Honolulu, HI  
Posts: 7

### **Participant Introduction**

Hello to all! Thanks to the organizers for round two. Round one was an appetizer for some of us. As current conference co-chair for the ACR (Association of Conflict Resolution) Environmental/Public Policy Section, I look forward to helping disseminate our work to a wide audience of colleagues and beyond the environmental field. Understanding situation assessment, diagnosis, and the tools of preparing are critical as we seek to improve our practices. Since law school, I've been involved in mediating, facilitating public disputes, designing systems, and coaching leaders. Spent time at NIDR in DC (1988-1994, and 1985), the first state

office of mediation, 1985-1988 in NJ, consulting, the Agreement Zone, 1995-2003. and currently commute between the Spark Matsunaga Institute for Peace and Program on Conflict Resolution at the U of Hawaii and family and farmhouse in NJ. I have been fortunate to work with many of the folks on this forum (CBI, Resolve, WFED, HSPH, CR, PDN, et al) and know this will be worthwhile given the talent. Aloha and good luck!!

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 04:55 AM



## Mike Eng

Registered: Mar 2003  
Location:  
Posts: 14

 **Hello From Mike Eng**

As one of the members of the team organizing this online dialogue about assessments, I am very excited and grateful that you have chosen to participate in the discussions. Please don't hesitate to jump right in and get things going. Many issues of importance and concern to practitioners about assessments were raised during the Round One Pilot. We're looking forward to learning from your collective experiences... but it can only happen if you participate!

I am a Senior Program Manager at the U.S. Institute for Environmental Conflict Resolution, where I focus on protected areas and resource issues (e.g., National Parks, National Monuments, National Marine Sanctuaries, wilderness areas, endangered species, marine mammals, etc.). I tend to be a strong proponent for conducting assessments that have been custom designed to address the requirements of the particular situation. Projects have included: Everglades ecosystem restoration, Upper Klamath Basin ecosystem restoration, Grand Canyon National Park overflights, Channel Islands marine reserves process, Pacific Northwest salmon recovery planning, Lake Tahoe Basin Collaborative Planning, collaborative management plan development for the Hanford Reach National Monument and the Santa Rosa and San Jacinto Mountains National Monument. Prior to the U.S. Institute, I was a trainer and in-house neutral with the NOAA Coastal Services Center; Superintendent of Fort Jefferson National Monument (now Dry Tortugas National Park); Marine Program Director for the University of Washington's Olympic Natural Resources Center; mentor mediator for the King County and City of Bellevue (WA) community mediation programs; research technician with the National Marine Fisheries Service and the Washington Department of Natural Resources; and U.S. Peace Corp Volunteer in Fiji. My undergraduate degree is in Psychology from Williams College and I have a Masters in Marine Affairs from the University of Washington.

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 12:47 PM

					
---	--	--	--	--	--

--	--

## Elaine Hallmark

Registered: May 2003  
Location: Government Camp, OR  
Posts: 6

### Participant Introduction

Elaine Hallmark introduction:


I am a new participant for this second round dialogue. I am very excited about both the topic and the technology. I am a private practitioner mediator/facilitator from Oregon. Trained as a lawyer, with experience working for Bonneville Power Administration, I began my mediation practice in 1988, and have not practiced law since. I worked to help establish the Oregon State Dispute Resolution Commission, served as its first Chair, and worked with NIDR to set Oregon up as one of the first statewide offices of public policy dispute resolution.

I have mediated a wide range of public policy disputes and facilitated many collaborative planning and consensus building efforts, from nuclear waste cleanup to fish restoration to watershed councils, land use and even prepaid burial plans. I have been working to promote the further use of assessments, as most of the early cases I did, did not provide the opportunity or funding for a real assessment.

I look forward to meeting all of you and participating in this dialogue.

[Report this post to a moderator](#) | IP: [Logged](#)

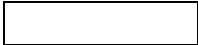
06-02-2003 02:28 PM

					
---	--	--	--	--	--

--	--

[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**



## Scott McCreary

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

### Welcome/Intro from Scott McCreary

Greetings!

I am excited to welcome you to Round Two of the Online Dialogue. As a practitioner in environmental policy and conflict resolution, I appreciated the opportunity to expand my understanding of the role of situation assessment through the different perspectives shared during Round One of the Dialogue. Round Two looks to be an even more interactive forum and I look forward to your participation in this new initiative!


My thanks for this project go out to my colleagues, Jonathan and Colin, as well as to the USIECR, the Hewlett Foundation, and partners at EPA and Interior for their assistance and support.

As to my background, I co-founded CONCUR Inc. about 15 years ago with John Gamman. Since then, I've had the opportunity to work on a very wide range of environmental and natural resource issues in the US and abroad. My path to conflict resolution has wound through land use planning and coastal zone management, the MIT-Harvard Public Disputes Program, and more recently several opportunities to team with colleagues to reflect upon and build the field.

Our hope is that the Online Dialogue may be used as a springboard for developing useful "best practice" guidance for both practitioners and sponsors of assessments, as well as for users of online dialogue tools. The status report on the pilot round of the Online Dialogue evoked lively discussion at the April, 2003 ACR Section meeting in Washington, D.C. A presentation on the results of the 2003 Conflict/Situation Assessments Online Working Group is planned for the October 2003 Association for Conflict Resolution Conference in Orlando, Florida. As this project is but a sum of its parts, the most important of which is your participation, I welcome you to engage in this historic endeavor. Along with my colleagues, I invite your commentary and insights over the next three weeks.

*Last edited by Scott McCreary on 06-01-2003 at 09:22 PM*

[Report this post to a moderator](#) | IP: [Logged](#)

 05-30-2003 12:22 PM



--	--

## Frank Blechman

Registered: May 2003

Location:


Posts: 6

### Intro

Formerly a professor at George Mason University's Institute for Conflict Analysis and Resolution (ICAR). Now a political consultant. Never thought that the two were all that different.

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 07:58 PM

					
---	--	--	--	--	--

--	--

[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**

--

--

## Xantha Bruso

Administrator

Registered: May 2003

Location: Berkeley, CA

Posts: 2

**Welcome from Xantha Bruso, CONCUR**

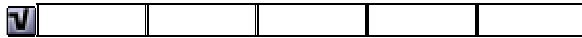
Hello all,

I am very excited to be a part of Round Two of the Online Dialogue. I recently joined CONCUR and will be helping to facilitate this project, a task which greatly appeals to my interests in technology and environmental decision-making. I come to CONCUR as a recent Master's graduate from MIT's Department of Urban Studies and Planning, where I focused on environmental policy and international development. I have also worked in the fields of economic and environmental consulting, GIS, park planning, and environmental justice. As a relative newcomer to the field of environmental conflict resolution, I look forward to reading and learning from your posts, and to helping you with any technical or procedural issues.

See you online,  
-Xantha

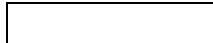
[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 08:28 PM



[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**



## **Roger Conner**

Registered: May 2003  
Location: Washington DC Area  
Posts: 9

### **Introduction-Roger Conner**

Friends: Search for Common Ground, is better known for its international work. Search-USA is trying to bring lessons from that work and apply them here in the U.S. I am not a career DR professional. Instead, I have spent 25 years as advocate who specialised in adversarial tactics: litigation, grass roots lobbying, Direct Mail campaigns, media blitzes, etc. I've even had an opera written about my first lawsuit!

You could say I'm trying to become bi-lingual, and also trying to understand how our movement can serve "adversarial" leaders, rather than being force to check or criticize them. A key problem is that they don't know we are an option, by and large. I'm hoping this discussion will address how the "assessment," or perhaps the "pre-assessment" process might be a means to address the knowledge and perception gap.

Attached is a file that summarizes our work in the U.S. There's more detail where that came from, especially if you are interested in conflicts rooted in church-state, religion, or related to the criminal justice system.

---

Roger Conner  
Director, Search for Common Ground-USA  
1601 Connecticut Ave, NW, Suite 200  
Washington, DC 20006

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 12:52 PM



[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**



**Jonathan Raab**



Registered: Mar 2003  
Location: Boston



Posts: 4


 **Welcome All**

As co-conspirator with CONCUR and IECR in this Online Dialogue, I'm very excited to have done much learning during the first Round and to be both continuing the dialogue and trying out some new tools in Round 2 of this new-fangled collaboration.

My inspiration for the project literally came while hiking in the desert behind the IECR conference. As I watched the humming birds flitting about, I kept wondering how to continue the wonderful conversation from the conflict assessment panel without having to wait another year until the next conference. At the same time, I was also trying to figure out how demonstrate and improve the use of online technology such as threaded discussions, online polling etc. as Raab Associates had just launched our Online Public Disputes Project at the conference. I kept running into other conference attendees and bouncing ideas off them, until I returned thirsty but possessed. I immediately cornered Kirk Emerson and other IECR staffers with the idea for this project.

As for me, I'm the President of Raab Associates, Ltd. in Boston ([www.RaabAssociates.org](http://www.RaabAssociates.org)) happy mediating complex, multi-party energy and environmental processes in many shapes and forms. As a small firm, I'm always looking at ways that technology can better facilitate our work and improve the process and its results. We now use a website for every project we undertake, and other online tools whenever possible. I've also done many projects with conflict assessments, and many without.

[Report this post to a moderator](#) | IP: [Logged](#)

 06-03-2003 09:48 AM

					
---	--	--	--	--	--

--	--

## Roger Conner

Registered: May 2003  
Location: Washington DC Area  
Posts: 9

### **web sites for consensus processes**

Can you send the url's for some of your consensus processes?  
We've only used them to announce results (see, e.g., [www.working-group.org](http://www.working-group.org))

---

Roger Conner  
Director, Search for Common Ground-USA  
1601 Connecticut Ave, NW, Suite 200  
Washington, DC 20006

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 12:54 PM

					
---	--	--	--	--	--

--	--

[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**

--

--

## **alice shorett**

Registered: May 2003  
Location:  
Posts: 4

### **participant introductions**

Hello. I am Alice Shorett, president of Triangle Associates, Inc., an environmental mediation and public policy company founded in 1979.


This is an exciting experiment to engage 100 participants in a discussion of an issue of significance for the field of environmental dispute resolution.

My questions about this online dialogue include: How can we sift the themes and "big ideas" emerging from the discussion? How do we move beyond the idea brainstorming stage and synthesize viewpoints? What is the best application of this technique in an assessment or should it be used at all in the initial assessment?

I look forward to meeting old and new professional peers in this dialogue.

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 04:52 PM

					
---	--	--	--	--	--

--	--

## John Stephens

Registered: May 2003

Location:

Posts: 7

**Hi Y'all**

Just trying to offer some Carolina flavor to my introduction.

Greetings to familiar colleagues and nice to e-meet some people new to me. I have managed a public disputes program at the University of North Carolina since 1996 and worked at the Ohio Commission on Dispute Resolution before that.

I like Alice's points about how to synthesize; something I see as difficult without the normal mix of oral exchange and body language leading up to the magic of someone at a flipchart.

Seriously, I'm glad to be a part of this experiment.

John

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 02:14 PM



[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**

## karen wianecki

Registered: May 2003

Location:

Posts: 1

**Introduction**

I am extremely pleased to be participating in this online information exchange. As an environmental mediator from Canada, I believe we have much to learn from our counterparts in the U.S. Here in Canada, environmental mediation is very much in its infancy and so the issue of conflict/situational assessment is practiced but informally, for the most part. As a planner, with a Masters Degree in Planning, I worked for the Ministry of Natural Resources (in the forestry and tourism arena - very high conflict) for many years. I had the pleasure of designing Ontario's first environmental roster of dispute resolution professionals. Three years ago, I established my own consulting practice, where I specialize in planning and dispute resolution. I believe conflict assessments need to be tied to the value added that comes from mediation - in particular, the increase in efficiency, effectiveness and the cost savings that accrue. I would like to know, from those who have been involved in conducting formal conflict assessments, how you are learning from your work and whether these assessments are enabling you to "build capacity" among the key players.

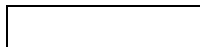
[Report this post to a moderator](#) | IP: [Logged](#)

06-04-2003 10:06 AM



[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**



**David Batson**

Registered: Mar 2003

Location:

Posts: 5

**Introduction - David Batson**

HI ALL,

It is a great pleasure to join this discussion. Sorry for the delay ... technical difficulties prevented me from logging on until yesterday & from adding my questions to the "Gail & Scott Show" yesterday (Great discussion by the way). I am neutral with the ADR program at US EPA in Washington, DC. I have served as a convener, mediator, facilitator & allocation specialists for environmental & public policy disputes since the mid-80s, primarily for disputes in the shadow of a current or threatened government legal action.

I believe that an assessment is a critical first step in meeting the needs of parties. My experience has lead me, however, to view assessment as most effective when done as part of an ongoing convening effort, and not as a stand- alone expert driven product. I also find that the scope & focus of an assessment is best derived from the parties, with the assessment perceived by the parties as a tool to explore & define their own needs & potentials.

I look forward to continuing the discussion. Thank You for all of your thoughts so far ... I may even (dinosaur that I am) figure out this technology eventually.

David

[Report this post to a moderator](#) | IP: [Logged](#)

06-04-2003 04:47 PM

				
---	--	--	--	--

--	--

[◀ Last Thread](#) [Next Thread ▶](#)

**Author**  
**Thread**

--

--

**Martha Bean**

Registered: Mar 2003  
Location: I live in Seattle, Washington  
Posts: 1

**Greetings**

I enjoyed perusing the posts during the last session; hope to be a more active participant this week. Hello to the many friends and colleagues I see here!

I share Alice Shorett's interest in seeing how we parse / sift the themes and good ideas (hi Alice!). My experience with 'chat' rooms in the past is that I loose interest over time. Perhaps this experiment can lead us to some expediency / synthesis.

Please feel free to visit my website to learn a bit more about me if you like. I can be found at [www.collaborativefocus.com](http://www.collaborativefocus.com).

---

Martha Bean  
mbean@collaborativefocus.com  
206-527-1374

*Last edited by Martha Bean on 06-04-2003 at 10:21 PM*

[Report this post to a moderator](#) | IP: [Logged](#)

06-04-2003 10:15 PM  
[v] [ ] [ ] [ ] [ ] [ ]

[ ] [ ]

[◀Last Thread](#) [Next Thread▶](#)

**Author  
Thread**

[ ]

[ ]

**Robin Roberts**

Registered: May 2003  
Location:  
Posts: 1

**Introduction - Robin Roberts**

Hello All,

I'm a facilitator with nine years of experience as an environmental professional at RESOLVE (DC office). Before RESOLVE, I worked at Clean Sites, Inc. as a cost allocator for parties involved in Superfund liability disputes. Most of my current work includes convening, facilitating, and mediating a broad range multi-party policy dialogues and community-level collaborative processes.

I'm looking forward to participating in Round Two of the Conflict/Situation Assessments Online Working Group, despite my skepticism about the vitality of online communications between multiple parties. Heaven knows I don't want to be the a modern day Luddite standing in the way of the technologically inevitable! It's just that, for me, questions evolve in the process of asking them. When I start to ask a question, for example, I don't compose and edit the entire question before I open my mouth. I know what I want to say but not how I'll say it, until I start talking.

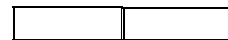
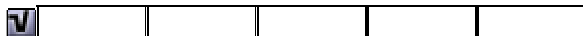
Things are different online. I guess I'll have to get over it.

Cheers,

Robin Roberts  
Senior Facilitator  
RESOLVE  
1255 23rd Street NW, Suite 275  
Washington, DC 20037  
202.965.6380  
fax:202.338.1264  
[rroberts@resolv.org](mailto:rroberts@resolv.org)

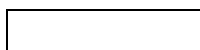
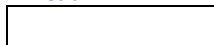
[Report this post to a moderator](#) | IP: [Logged](#)

06-06-2003 05:24 PM



[◀ Last Thread](#) [Next Thread ▶](#)

**Author**  
**Thread**



## Martha Rozelle

Registered: May 2003

Location:

Posts: 2

### introduction

Greetings everyone. Sorry to be so late in introducing myself and logging on. I've been out of town, but am now back home in Phoenix where it is only 110 degrees right now. I am delighted to participate in this effort, expect to learn a lot, and looking forward to meeting new people and reconnecting with others. (hi Martha, hi Alice). The bulk of my practice is in the strategic public participation arena around environmental issues. There is often a need to bring key stakeholders together to resolve conflicts in a collaborative manner, while at the same time involving the broader public in meaningful ways. For example, currently I am in the midst of working with the Grand Canyon National Park on the Colorado River Management Plan. My role is to design and deliver several workshops with specific stakeholders around issues like the use of motors, spectrum of services, etc. We are using an interactive computer support system, Option Finder, to help find areas of agreement. Marty

[Report this post to a moderator](#) | IP: [Logged](#)

06-08-2003 09:46 PM



[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**

## Martha Rozelle

Registered: May 2003



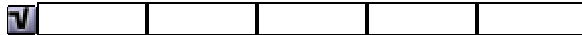
Location:  
Posts: 2

**introduction**

Greetings everyone. Sorry to be so late in introducing myself and logging on. I've been out of town, but am now back home in Phoenix where it is only 110 degrees right now. I am delighted to participate in this effort, expect to learn a lot, and looking forward to meeting new people and reconnecting with others. (hi Martha, hi Alice). The bulk of my practice is in the strategic public participation arena around environmental issues. There is often a need to bring key stakeholders together to resolve conflicts in a collaborative manner, while at the same time involving the broader public in meaningful ways. For example, currently I am in the midst of working with the Grand Canyon National Park on the Colorado River Management Plan. My role is to design and deliver several workshops with specific stakeholders around issues like the use of motors, spectrum of services, etc. We are using an interactive computer support system, Option Finder, to help find areas of agreement. Marty

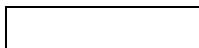
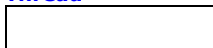
[Report this post to a moderator](#) | IP: [Logged](#)

06-08-2003 09:46 PM



[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**



**Joseph McMahon**

Registered: May 2003  
Location: Denver, CO  
Posts: 6

**Introduction - Joe McMahon**

I am a lawyer mediator based in Denver Colorado. My work in ADR and conflict management began about 12 years ago. After more than 20 years in natural

resource, water and commercial litigation, I now focus on collaborative processes and settlement as a solo practitioner. Having worked to a limited degree in international development projects in water and environment, I am working move into more international consensus building efforts. I have spent (with questionable success) a lot of time presenting interest based and collaborative trainings to legal firms and organizations - but wrestle with the challenge of moving members of the bar from positional to interested based bargaining.

I am happy to interact in the ADR Forum and learn from you all.

[Website](#)

---

Joe McMahon

[Report this post to a moderator](#) | IP: [Logged](#)

06-15-2003 09:40 AM



[◀ Last Thread](#) [Next Thread ▶](#)

**Author  
Thread**

## **Juliana Birkhoff**

Registered: May 2003

Location:

Posts: 2

### **Participant Introduction**

I am a mediator, scholar and trainer. I came to conflict resolution and analysis from a social change and organizing background.

I've been in the field for about 20 years. I work part time for myself - doing research, writing, training, mentoring/coaching, and conflict resolution field advancement work. I also work part time for RESOLVE as a senior mediator. I

mediate/facilitate the full range of agreement focused, collaborative, and problem solving processes. I also do evaluation and research on collaborative processes.

I enjoy making our implicit knowledge explicit. I've been working with Peter Adler, Martha Bean, Scott McCreary, Greg Sobell, Bob Barrett and others on how to integrate scientific and technical knowledge into collaborative processes, and then how to integrate the former with cultural and local knowledge.

I also like building bridges in our field. I have been working with folks from PCI and the USIECR, the Community Based Collaboratives Research Consortium, CRInfo, and the Hewlett funded Public Policy Case Database project to increase our knowledge about what we do.

My theoretical research is on 1) power and 2) how mediators think, 3) mediation as a profession.

I enjoy gardening, reading, bird watching, traveling, the beach, dancing, hanging out with friends, and eating dinner and drinking wine (especially with Scott McCreary).

[Report this post to a moderator](#) | IP: [Logged](#)

06-16-2003 05:35 PM

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

## Welcome and Project Overview

**Author**  
**Thread**

<input type="checkbox"/>
--------------------------

<input type="checkbox"/>
--------------------------

### **Scott McCreary**

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

#### **Project Background**

Raab Associates and CONCUR, working with USIECR, have created a project with support from Hewlett, EPA, and DOI to convene a working group to advance thinking in both the use of conflict/situation assessments and the use of online dialogue tools.

The working group will hold two rounds of online dialogue, building on the roundtable discussion of conflict/situation assessments that started during the USIECR Conference in Tucson last May.

The first round of discussions took place from March 24 - April 4, 2003. It focused on participants' definition of conflict/situation assessments, how assessments are used, when they are needed, and how context shapes the assessment process. The 25 participants were recruited based on the advice of the project sponsors and Steering Committee, and contributed over 115 posts over the period of discussion.

Results from Round One were presented at the Association of Conflict Resolution's Environmental and Public Policy Section conference in Washington, D.C. The presentation and a compendium of all of the postings from Round One can be downloaded from the "About the Project" website at <http://www.adrforums.com/about.htm>.

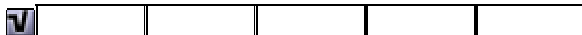
Along with developing thoughtful questions for Round Two, the aim of Round One was to try out the technology and refine our vision for online discussions. That experience was generally successful, and provided some insights that have helped shape Round Two, which is set to launch. Between June 2nd and June 20th, 2003, over 100 participants will engage in an online discussion either as active participants (60+) or observers (30+) to the process.

Round Two of the Online Dialogue will focus on the use of assessments conducted in the context of environmental and public policy conflict resolution efforts. It has been designed to help advance the thinking among both assessment practitioners and users of independent assessment services. The three-week online dialogue process will include facilitated threaded discussions, occasional online polls, and three live online chat sessions with highly experienced practitioners (Gail Bingham, Gerald Cormick, and Michael Harty), who will discuss their approach to conducting assessments, as well as answer your questions. The online dialogue will also provide an opportunity for participants to gain a familiarity with an application of some of the latest technology and tools available for conducting online discussions.

Based on the knowledge gained from Round One, we believe that Round Two of the Online Dialogue will be an even more valuable and fulfilling experience for all who participate.

[Report this post to a moderator](#) | IP: [Logged](#)

06-01-2003 09:21 PM



**Colin Rule**

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

**technology message relocation**

N.B. --

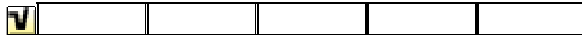
There were a few technology-related messages posted here yesterday -- I relocated that topic to the technology forum (in open space) so that it would take place in a more appropriate location.

You can view the thread [here](#).

Thanks!

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 11:04 AM



**Tim Hicks**

Registered: May 2003  
Location:  
Posts: 3

**Introduction, Tim Hicks**

Greetings all. My apologies for not having logged in before now and for having missed Scott's discussion with Gail. I just got back from a week-long ocean kayaking adventure.

Brief introduction: I've been a mediator since 1993. Began with interpersonal mediations and moved to multi-party public disputes. Moved back to Canada (British Columbia) Nov. 2001 after spending 25 years in Northern California so most of my experience is in the American context. I have only done one what I would call complete assessment (for water management negotiations in Yolo County CA) and have participated in portions of a few others. I think that they are of primary importance in most cases (I read with interest the postings on when assessments are not of use). I had the good fortune to work with Scott McCreary on several interesting cases (hello Scott!) in California.

Over the past year, I have mediated a 7-month land use consensus-building process, facilitated public involvement processes for a regional gov't jurisdiction and for the Provincial Ministry for Sustainable Resource Management on issues concerning shellfish aquaculture as well as development planning. I'm currently providing negotiation coaching for a First Nations party in a Treaty group negoation and am also trying to find a way to encourage the parties involved in a newly developing coal bed methane industry here to use an assessment process to consider collaborative negotiations. I'm not having much luck with the latter.

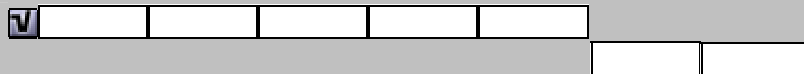
I co-authored a book in 2000 on collaborative negotiations between environmental organisations and corporations and some of you may have read a Negotiation Journal article of mine in 2001 on the "roots of conflict in the psychology of consciousness" which addressess the connection between identity and reality-formation and conflict. I'm fascinated by the relationship between epistemology and conflict. It's all about what we know, what we think we know, and our need to know, and that's part of what we are dealing with as we work with the parties.

I look forward to learning with all of you.

All the best.

Tim

[Report this post to a moderator](#) | IP: [Logged](#)



06-06-2003 02:28 PM

## Timing and Agenda

### **Scott McCreary**

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

#### **Overall Timetable**

1. Round Two of the Online Dialogue will take place from June 2 - 20, 2003.
2. The Online Dialogue will be open for reading and posting online 24 hours a day. Facilitators will generally keep business hours (for Raab Associates, 9 a.m. to 5p.m. Eastern Time; for CONCUR 9 a.m. to 5p.m Pacific Time), but may log on after hours as well.
3. Questions will be open to posting in a staggered fashion so that discussion flows in a logical manner and so that the facilitators have time to manage the volume and content of discussion. Once open, each question will be kept open

until June 20. The facilitation team will likely not attempt to seek convergence of themes until the last few days of Round Two. The team may initiate an online polling process to help sort through and prioritize topics.

### **Agenda for Online Discussion**

Question 1: June 2-20

"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?"

Question 2: June 7-20

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

Question 3: June 12-20

... 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, 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?

2. One forum on the website will be treated as "open space." It will be an open area for discussions on topics and ideas other than those posed in the questions. Project principals will monitor these areas on a daily basis.

3. Facilitators will make periodic observations, suggest clarifications, prepare periodic syntheses, and moderate discussions during the three synchronous events. However, given the aim to test an asynchronous environment online, they will not actively synthesize all conversations in real time.

### **Synthesis and Reporting of Results**

1. Following the completion of Round Two, project facilitators will synthesize the full results of and make them available to all the participants. A final summary will be presented at the 2003 ACR conference in Orlando, Florida on Oct. 15-18.

*Last edited by Scott McCreary on 06-12-2003 at 02:56 PM*

[Report this post to a moderator](#) | IP: [Logged](#)

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

## Process Agreements and Groundrules

### **Scott McCreary**

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

#### **Process Agreements/Ground Rules**

### **Intent of the Project and Round Two of the Dialogue Background**

Raab Associates and CONCUR, working with USIECR, have created a project with support from Hewlett, EPA, and DOI to convene a working group to advance thinking in both the use of conflict/situation assessments and the use of online dialogue tools. This is the second of two rounds of online dialogue that will be conducted. The dialogues build on the roundtable discussion of conflict/situation assessments that started during the USIECR Conference in Tucson last May.

The first round of discussions 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. The 25 participants were recruited based on the advice of the project sponsors and Steering Committee, and contributed over 115 posts over the period of discussion.

Along with developing thoughtful questions for Round Two, the aim of Round One was to try out the technology and refine our vision for online discussions. Round Two is expected to expand on the themes distilled from Round I and test the technology with a greater number of users. Between June 2nd and June 20th, 2003, over 100 participants will engage in an online discussion either as active participants or observers to the process.

#### **Recruitment of Participants**

1. Participants in Round Two were recruited from the IECR roster, the 2003 ACR EPP conference roster, the Community-Based Collaboratives Research Consortium, and other professional organizations. The goal was to attract professionals with a wide range of experience with conflict/situation assessment.
2. The number of active participants is 65, while the number of observers is 41. The registration period for all participants commenced May 19, 2003 and ended May 28, 2003.

#### **Nature of Participation Requested**

1. The success of the Dialogue depends on the active and focused participation of all contributors. It is incumbent on each active participant to communicate their views, and to seek to understand the views of others. Voicing these interests is essential to enable meaningful dialogue and full consideration of issues.
2. Participants are asked to commit the time necessary to fully participate in the Online Discussion. We seek a commitment to log on 3-4 times per week, spending at least 2-3 hours per week reading and contributing to the discussion. While no specific time commitment is required of observers, our hope is that Observers will



log on at least twice per week.

3. We ask that participants familiarize themselves with the Agenda and try to stay on topic. Alternative space is provided for off-topic comments, but it is our hope that participants will focus on each agenda item.

4. We ask that participants seek the help of a facilitator before frustration might cause one to refrain from participation.

5. Observers will be allowed to view the dialogue, but will not have the ability to post or reply to posts within the discussion forums.

### **Role of Facilitators**

1. CONCUR and Raab Associates are responsible for managing and facilitating the online process.

2. CONCUR, working with Raab Associates and USIECR colleagues, will take the lead in facilitating the dialogue. CONCUR will log in each day and will prepare periodic syntheses of discussions to help guide the dialogue. CONCUR will act in a non-partisan manner.

3. Raab Associates will support CONCUR's facilitation lead, and will be responsible for maintaining the online technology.

4. Project facilitators may opt to organize discussions by joining or splitting threads, moving unrelated discussions to other forums.

5. Any participant may call or email the facilitators to alert them to an issue requiring attention online (instructions will be provided).

6. Project facilitators will endeavor to provide periodic updates syntheses of discussion to all project participants via email during the dialogue.

### **Synthesis and Reporting of Results**

1. Project facilitators will synthesize the results of Round Two and make them available to all the participants. A final summary will be presented at the 2003 ACR conference in Orlando, Florida on Oct. 15-18.

[Report this post to a moderator](#) | IP: [Logged](#)

06-01-2003 09:27 PM

<input checked="" type="checkbox"/>					
-------------------------------------	--	--	--	--	--

--	--

**Elaine Hallmark**


Registered: May 2003  
Location: Government Camp, OR

Posts: 6

😊 This confirms my agreement/acceptance of the groundrules. (I hope this is what we are supposed to do.)

[Report this post to a moderator](#) | IP: [Logged](#)

📅 06-02-2003 02:11 PM

					
---	--	--	--	--	--

--	--

## Juliana Birkhoff

Registered: May 2003

Location:

Posts: 2

### Agreement w/Groundrules

I agree.

[Report this post to a moderator](#) | IP: [Logged](#)

📅 06-16-2003 05:12 PM

					
---	--	--	--	--	--

--	--

**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?

**Scott McCreary**

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

**Assessment: Always A Good Idea?**

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 "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 others; still others might be based on emerging "policy" in your organization or practice. All responses are welcome.

A note on threaded discussions: there may be a temptation to start a new thread each time a new idea is advanced. We'd suggest staying within this thread for the time being. You can use the quote function if you want to make reference to an idea that arose several postings back.

Good luck and have fun!

Scott

*Last edited by Scott McCreary on 06-02-2003 at 01:45 AM*

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 12:39 AM

--	--	--	--	--

--	--

**Joseph McMahon**

Registered: May 2003  
Location: Denver, CO  
Posts: 6

**Level and degree of assessment**

It seems that the questions raises the issue of conflict assessment in a "toggle switch" manner - which may be appropriate. Perhaps an alternative consideration would be, presuming we answer the question "yes," are we then presented with

perhaps the underlying issues of:

"To what degree and expense?"

"At what level of formality?"

"Is this always appropriate as a distinct and separate process or can it be more generally part of the initiation of a subsequent process?"

"To maintain a dynamic process, in what ways and when will we revisit the assessment made at the beginning?"

"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?"

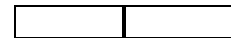
"How ready were the parties to fully participate in the assessment?"

---

Joe McMahon

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 01:18 PM



## Elaine Hallmark

Registered: May 2003

Location: Government Camp, OR

Posts: 6

**Re: Assessment: Always A Good Idea?**

quote:

---

*Originally posted by Scott McCreary*

**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 "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?"**

---

First, I need to ask, since I was not a participant in Round 1, are we beginning this dialogue with a definition of assessment that was developed in Round 1? (I'm going to search for it again, as my first attempt was unsuccessful.)

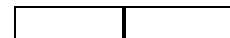
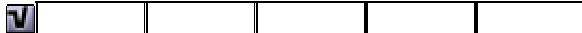
My initial quick responses to this first question posed is that a very formalized conflict assessment and formal report is probably a waste of time when parties have a general sense that they want to mediate or collaborate, but may not know how to

get it started. In such a case, I believe a form of assessment is still needed, but is on the continuum of a convening process. A neutral needs to help assess before the process begins, who needs to be at the table, what agreements/protocols they need, how to design and structure the process and so on. How much of this is assessment and how much is convening is not clear to me in terms of the language others use.

The other case where I question the use of assessments is where the "situation" being assessed is so broad and what the sponsor is interested in learning from it, is so amorphous that another approach, such as a survey, might be more appropriate. This seems to occur in an area that is more akin to public involvement, and some agency having difficulty with its perception by the public is interested in learning more about who is out there and what they think. They may have the idea that they need to be more collaborative, and hope that will help, but unless they are willing to at least pose some specific possible areas of collaboration to explore, and then be willing to move right into them, if the assessment shows them feasible, I am not sure the broad, general assessment is worthwhile.

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 02:44 PM



## Cindy Cook

Registered: May 2003  
Location: Adamant, Vermont  
Posts: 4

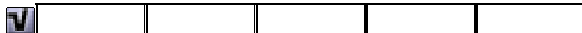
I would argue that professional neutrals have to conduct *some* kind of assessment, else how can one intervene appropriately??

The question is really that which Joseph posed: the level and degree of assessment conducted, and the form that the product takes (e.g. written assessment document, meeting w/ parties, neutral intervention of some kind, etc).

I believe that the instances in which a formal, written assessment is both helpful to stakeholders and cost-effective are pretty limited.

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 04:21 PM



**David Bidwell**

Registered: May 2003  
Location:  
Posts: 2

For the sake of argument, I'm going to assume that we're talking about a formal process that results in a report to the convenor/client.

I wonder how prepared practitioners and the client/convenor are to really consider what we learn in an assessment as we move forward in the design of a decision-making or dispute resolution process. Too often, I fear, 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. Without a real commitment to the assessment, it's probably a waste of time and precious resources.

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 04:57 PM



**Frank Blechman**

Registered: May 2003  
Location:  
Posts: 6

**Question 1**

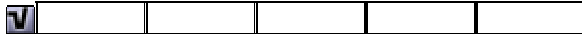
To be unambiguous. Yes. Professionalism required that we make our assumptions clear, and that we test them. When I have gotten in serious trouble, 9 times out of 10 it has been related to an assumption that should have been tested but wasn't.

Assessment is not just a scan of THEM. It's a scan of what's going on in US.

*Last edited by Frank Blechman on 06-09-2003 at 02:41 PM*

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 08:02 PM



**Laura Kaplan**

Registered: May 2003  
Location:  
Posts: 1

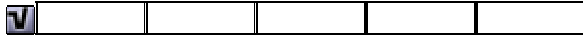
I agree with what seems to be a general theme of the previous posts, some kind of assessment must be done in order for an intervenor to enter into a system in an effective way. If the intervenor will be going on a journey with a group of people in search of collaborative solutions, you need some guide to the territory, and since the terrain is known in different ways to different people who live there, it's often wise to seek multiple guides to help fill in the map. So some kind of assessment (media search, interviews, observation, etc) is necessary for the intervenor, no doubt. It is the first sketch of a map that you will continue to fill in as you go.

The extent to which the intervenor's map will be useful to the different people who live in the terrain is another matter. To extend the metaphor, if they are close neighbors who regularly interact, then it is probably not worth the time and effort to formalize the assessment in a written document. In California water wars, for example, stakeholders and agencies are already familiar with each others' issues and public positions. A confidential assessment might uncover some interesting non-public information, but money in this case may be better spent getting stakeholders to talk with each other than with the intervenor.

I can think of a couple of situations though when a formal assessment can be very useful. One is 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. In this case, a more formal assessment can be a good tool for opening a negotiation about the form and function of the nascent process. Another time when formal assessment can be useful is when a system needs a push to overcome inertia and make a process happen. In this case, the act of assessing and the formalizing of that data into a report to which all parties have contributed can help to bring about the ritual of convening. People may be more likely to be involved due to the ownership they have in the assessment / convening report.

[Report this post to a moderator](#) | IP: [Logged](#)

06-02-2003 08:36 PM



**Cindy Cook**

Registered: May 2003  
Location: Adamant, Vermont

Posts: 4

Many of us use the term "assessment" interchangeably with "written assessment report". In the interests of clarity, it might be helpful to come up w/ another term for the written report. Hopefully, we can come up w/ more artful term than "written assessment report"... Anyone have ideas? (Best I can come up with at this hour is "WAP")

I believe that an assessment should be an integral part of any neutral's work, and that in thinking about what we do -and talking with sponsoring agencies and funders-we should be thinking about the form of the assessment takes, rather than whether or not to do one.

#### Written Assessment Reports

Some considerations as to whether or not a written assessment report is appropriate include: (Hopefully others will build on this list)

#### The nature and complexity of the issues

Complex issues and complicated organizational dynamics, and/or process funding considerations may make a written document helpful, esp. if -as Laura suggests-- there's a need to publicly assess different options for proceeding.

Written reports can help give direction, when needed, to sponsoring agencies (e.g. public involvement).

Sensitive issues can be difficult to treat fully, fairly, and to all parties' satisfaction in a static written document. And in some cases, the act of writing about these issues can lead to the neutral becoming a party.

#### Resources

Written reports cost money and take time. It may be a good thing in some cases to slow things down a bit, and give parties time to reflect on options and create the "push" that Laura writes about. In other cases it can be disastrous.

In many cases, the money simply isn't available to produce a written document.

#### The role of the convenor in the process

Commissioning a written document sets the commissioning group apart from the other stakeholders.

How do we as neutrals work w/ a party that is a bit "more equal than the others"?

#### Constraints implicit in written documents

A written report focuses attention on a single moment in time. This can be beneficial if parties are both committed to working toward resolution and really stuck vis process. It can be less helpful if the situation is a very dynamic one, or if the parties lack patience w/ process considerations.

Written reports are limited in the subtleties that they can convey. On the other hand, they can form the basis for discussions among parties, and can also serve as a means of sharing amongst professional neutral.

Sorry this is so long. I promise to "shut up" for awhile.



[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 07:34 AM



## Colin Rule

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

quote:

---

*Originally posted by Cindy Cook*

**Sorry this is so long. I promise to "shut up" for awhile.**

---

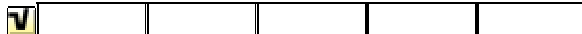
Cindy--

I hope you don't "shut up" because your posting raises some great issues...

While I like the term "WAP" (perhaps because of its resemblance to the other WAP, Wireless Application Protocol, as in WAP phones) "written assessment report" leads me instead toward "WAR" -- which is probably a term we'd prefer to avoid!

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 11:14 AM



## Kathleen Bond

Registered: May 2003  
Location:  
Posts: 1

**Assessment: criteria?**

The resources required for a formal assessment may not always be within the realm of the possible, particularly now with decreasing budgets across the board for state and federal agencies, profits and non-profits. As a facilitator/mediator, while I believe there is no better mechanism than an assessment to get a clear picture of the conflict/situation, that is not always the case with decisionmakers who are diligently watching the evaporating budget. In addition, many decisionmakers are under pressure to jump-start the process without an assessment in order to "get some points on the board" as soon as possible.

The viability/feasibility of an assessment must be justified within the constraints of time and money. Is there a set of criteria for assessing whether the scope/scale of the conflict/situation merits expenditure of an assessment?

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 11:16 AM



### Joseph McMahon

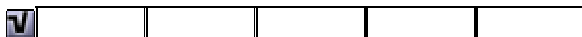
Registered: May 2003  
Location: Denver, CO  
Posts: 6

#### What do we call it

I suppose from these comments we are, in part, talking about both (1) the level of inquiry put into the assessment and (2) what is then done with the resulting assessment. In some ways we are looking at the formality and nature of the report from the neutral; informal and it merely guides later stages in the process to more formal and intended to produce/elicit action from the stakeholders.

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 11:20 AM



### John Stephens

Registered: May 2003  
Location:  
Posts: 7

 **Amens and comments/questions**

In the interest of content and process, I'll try a bit of paste and add to the previous discussion.

1. From Joe McMahon: -

"Is this always appropriate as a distinct and separate process or can it be more generally part of the initiation of a subsequent process?"

"To maintain a dynamic process, in what ways and when will we revisit the assessment made at the beginning?"

I'll add, responding to Kathleen Bond's good points about sponsors' limited budget and need to "move forward," are there specific models to meld a kind of "scoping meeting" and "issue/viewpoint exploration" session as a way to build toward a formal assessment, but meet the needs of costs/time of a government sponsor? The advantage is that some actual group dynamics can be observed, rather than considered in the abstract.

2. Hallmark: when parties have a general sense that they want to mediate or collaborate,

I'll add: Amen—if they know they want/need some kind of more cooperative or "groupy" process, then dig in and have everyone assess and learn as they go.

3. Cindy Cook: I would argue that professional neutrals have to conduct some kind of assessment, else how can one intervene appropriately??

I'll add: See my thoughts above, and Joe McMahon's opening set of queries about what do we mean by assessment, for what purpose, for use by who, etc.

4. Bidwell: convenor/client wants to build "good faith" with a group of stakeholders


I'll add: Another Amen—assessment is the vehicle and purpose for the analytical side of the equation, but the rapport-building is just as important for a potential intervenor—and the potential stakeholders [can I really stomach being "process managed" by this guy/gal for multiple meetings?]

5. Blechman: Assessment is not just a scan of THEM. It's a scan of what's going on in US.

I'll add: Amen! And a useful thread might develop about identifying biases about the parties/issues as part of the assessment and thus how to say - Y'all are ready to move forward, but not with me at the wheel.

Colloquially yours, John

[Report this post to a moderator](#) | IP: [Logged](#)

 06-03-2003 01:52 PM

				
---	--	--	--	--

--	--

**Wendy Green Lowe**

Registered: May 2003  
Location: Idaho Falls, Idaho  
Posts: 1

I think assessment is always a good idea. I suppose there are situations when it may not be necessary, but presumably the assessment process would confirm there is not a need for an elaborate or drawn-out process. Generally, I think I need to have a pretty good understanding of the situation in order to plan for a process to convene the parties.

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. In my experience, people are not always willing to talk openly and candidly about how they feel and why, even if I am able to establish their trust early on. Perhaps they cannot explain themselves. If I try to force people to describe the level of disagreement they are experiencing, I am surprised how many appear to grossly underestimate or overstate the situation.

Another critical preliminary step is setting up a process that will allow relationship-building to occur. Particularly when working with people who have disagreed with each other for years, the first step is getting them to sit down together. Listen. Trust. Respect.

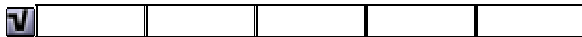
Once they are comfortable and talking, I might start hearing why someone feels the way they do - in a more constructive and relevant way. And I start thinking, "Ah ha, now I understand why that statement resulted in that reaction."

Perhaps parties to a conflict don't always see the conflict the way we (neutrals) do. They are standing with their backs towards each other, listening not very closely to each other. From our vantage point, we can see how closely together they are standing and perhaps even observe that they are looking in the same general direction once in awhile.

An assessment is a necessary, if imperfect process that can help us be more effective.

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 02:55 PM



**Merrick Hoben**

Registered: May 2003  
Location:

Posts: 2

**assessment**

One of the main reasons to do a full written assesement (I believe not yet mentioned) is 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.)

If the assessor moves immediately to bringing the parties together, and the scope is wrong, it can harm the good faith of the parties, and waste even more resources that an unneeded full assessment.

So I agree that SOME assessment must happen. it's a core aspect of what we do as professional neutrals in terms of preparation, and going in with our eyes open.

I also believe, however, that the scale of full assessment can be a real barrier, and that few agencies (or other coveners) have 20K these days to do a "WAP" (as Cindy says) to determine if moving ahead with consensus building is indeed appropriate.

Is there a middle ground on the written level?

Pace University (NY) has experimented with doing "pre-assessments". This is essentially a small scale 5-10 page written assessment based on of 5 or so interviews with stakeholders TO DETERMINE if a full assessment is worth the investment.

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 03:24 PM



**John Stephens**

Registered: May 2003

Location:

Posts: 7

**Re: assessment**

quote:

---

*Originally posted by Merrick Hoben*

**Pace University (NY) has experimented with doing "pre-assessments". This is essentially a small scale 5-10 page written assessment based on of 5 or so interviews with stakeholders TO DETERMINE if a full assessment is worth the investment.**

---

Merrick - given the interest in sharing resources, can you provide details or post this pre-assessment tool?  
Thanks, John

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 04:04 PM

					
---	--	--	--	--	--

--	--

## Merrick Hoben

Registered: May 2003  
Location:  
Posts: 2

For more info on pre assessment, see the Pace University Land Use Law Ctr at <http://www.law.pace.edu/landuse/centerinfo.html>

Sean Nolon, Dir. of Clinical and Training Programs can provide info on their pre-assessment activity, and perhaps examples. tel. 914.422.4091

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 04:27 PM

					
---	--	--	--	--	--

--	--

## Dan Dozier

Registered: May 2003  
Location: Bethesda, Maryland  
Posts: 5

**Re: assessment**  
quote:

---

*Originally posted by Merrick Hoben*

**One of the main reasons to do a full written assesement (I believe not yet mentioned) is 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.)**

**If the assessor moves immediately to bringing the parties together, and the scope is wrong, it can harm the good faith of the parties, and waste even more resources than an unneeded full assessment.**

**So I agree that SOME assessment must happen. it's a core aspect of what we do as professional neutrals in terms of preparation, and going in with our eyes open.**

**I also believe, however, that the scale of full assessment can be a real barrier, and that few agencies (or other conveners) have 20K these days to do a "WAP" (as Cindy says) to determine if moving ahead with consensus building is indeed appropriate.**

**Is there a middle ground on the written level?**

**Pace University (NY) has experimented with doing "pre-assessments". This is essentially a small scale 5-10 page written assessment based on of 5 or so interviews with stakeholders TO DETERMINE if a full assessment is worth the investment.**

---

Merrick Hoben and Cindy Cook have a point. While assessments are essential, the COST and LENGTH of a written assessment is important. I like the idea of the pre-assessment -- in some cases.

I do hear from parties concerns about cost. We need to be sensitive to those concerns. Sometimes lengthy assessments are more than the parties want to pay for.

However, to conduct a process that will work there must be some sort of pre-process planning. Sometimes the cost of the assessment, up front, saves money in the long run.

Dan Dozier

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 05:16 PM



## **Cindy Cook**

Registered: May 2003  
Location: Adamant, Vermont  
Posts: 4

### **Assessments and WRITTEN Assessments**

Ahhhh, Dan, I agree that an assessment is essential, but NOT necessarily a WRITTEN assessment. (I was half asleep when I typed "WAP" this AM. How about "WAD" for Written Assessment Document? And no, this is not intended as a

perjorative...)

I believe that there are instances in which a document summarizing the assessment can assist the parties (as with the case Gail summarized for us earlier, in which a document appears to have been essential). In other instances a written document could cause more harm than good. I look forward to hearing from others as to how they assess what form of assessment is appropriate.

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 05:34 PM



## Sean Nolon

Registered: May 2003  
Location: Bronx, NY  
Posts: 1

**Re: Re: assessment**

**Merrick - given the interest in sharing resources, can you provide details or post this pre-assessment tool?**

**Thanks, John [/QUOTE]**

John,

I will try to post some background material and forms that pre-assessors use to collect information. we'll see if this system works.

I'm attaching three files

1. Guidelines for accepting conflicts into the pre-assessment process (sort of a pre-assessment<sup>???</sup> 😊)
2. Guidance for pre-assessors
3. a brochure (in MSpublisher format) for the program.  
(I'm not sure if this system can handle more than on document?)

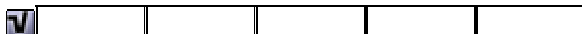
The idea behind the pre-assessment concept is to create a stage where locals who are familiar with consensus building (but not experienced mediators) and who want to see it used more frequently can get involved and intervene in conflicts. These people (the pre-assessors) are usually local officials, respected members of their community, and have been through a 2 day training program.

Attachment: [guidelines for referral.2.doc](#)

This has been downloaded 8 time(s).

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 06:17 PM







## Roger Conner

Registered: May 2003  
Location: Washington DC Area  
Posts: 9

### **When is a formal assessment required as a matter of ethics or professionalism?**

If all we mean by assessment is simply "look before you leap," then the original question for this discussion does not really have any content. Nobody does that, so there is always an "assessment."

The discussion would be more useful to me if we use the term "assessment" the way Gail did: a) A formal, transparent process with a beginning, a middle, and an end; that b) Includes interviews with representatives of all or a significant proportion of the stakeholder groups involved; and that is c) concluded by a written report with recommendations that goes to the funding source, and/or the convenor, and/or a group of stakeholder representatives prior to the next stage of the process.

If we use the term this way, under what conditions would it be necessary, as a matter of ethics or professionalism, that you **MUST** tell a donor, potential sponsor, or convenor that you will not do a formal consensus or agreement seeking process without one?

Possible answers:

1. You don't know the territory.
2. A pre-process process is needed to overcome reluctance of key parties to participate.
3. You have reason to believe that the timing is wrong.

Other reasons? Realize, there have been many "successful" processes conducted without an assessment. Was that just luck?

Another question: Under what conditions, if any, would it be wrong to do an assessment first, as a matter of ethics or professionalism?

1. Carpe Diem: The issue is ripe and time is of the essence (e.g., a legislative clock is ticking).
2. The issue and the principal parties are already known to the DR person.
3. There is not enough money to do both an assessment and a process, and important parties have the desire/willingness to sit down.

---

Roger Conner  
Director, Search for Common Ground-USA  
1601 Connecticut Ave, NW, Suite 200  
Washington, DC 20006

06-03-2003 11:18 PM

					
---	--	--	--	--	--

--	--

## Bill Potapchuk

Registered: May 2003  
Location:  
Posts: 2

### Whose assessment is it?

Greetings. I am logging in for the first time . . . what a great set of posts!

Assessment was something my mentor, Jim Laue, talked about regularly but rarely did because it was something he largely thought the parties should do. Many of the processes he worked started with a small "initiation committee" of parties that used the assessment phase as an exercise that helped themselves educate each other, design/negotiate the process, and "get to the table." The assessment phase was a way to manage the politics of process.


For example, many "best practices" advise not to use a negotiated process when significant parties are unorganized. Yet we know there is almost always someone who can represent the perspective of a group of unorganized parties and we often use that proxy. How we come down on that issue as we conduct an assessment process (e.g., saying process should not move forward OR can move forward with proxy OR we should slow down and allow some organizing to occur) is a representation of our own politics (as Frank said) and may or may not represent the shared viewpoint of the parties.

So when it comes to the question of whether an assessment is useful, for me the question can only be answered in the context of the straightforwardness of the situation. The more straightforward the situation (e.g., legal issues, parties, issues in conflict) the more it makes sense for me to do the legwork. The greater the messiness and unboundedness of the situation (and the number of judgment calls that will need to be made), the more I think responsibility for the assessment needs to be pushed back to or shared with the parties.

But some assessment I think always needs to be done.

Bill Potapchuk

06-04-2003 02:49 PM

					
---	--	--	--	--	--

--	--

## Roger Conner

Registered: May 2003  
Location: Washington DC Area  
Posts: 9

### Nice analysis

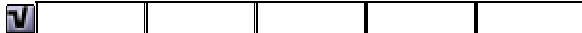
Your rule of thumb is a good one. I'll stick with my earlier post on one point: The term "assessment" loses meaning if it just means "look before you leap." But maybe qualifiers: written assessment, formal assessment, etc. would be helpful. Thinking of the assessment as a formal or informal negotiation about scope and representation is very helpful to me. Thanks.

---

Roger Conner  
Director, Search for Common Ground-USA  
1601 Connecticut Ave, NW, Suite 200  
Washington, DC 20006

[Report this post to a moderator](#) | IP: [Logged](#)

06-04-2003 10:46 PM



## Cindy Cook

Registered: May 2003  
Location: Adamant, Vermont  
Posts: 4

### The Full Range of Assessment Forms

We lose a lot of rich possibilities if we reduce assessment possibilities to the two extremes--a cursory look-before-you-leap, or a formal, written document. There are lots of intermediary options including structured in-person interviews, phone or e-mail interviews and or dialogue, and (I'm sure Colin would point out) on-line options like this one to assess a case.

In many cases, I start with an assessment phase of interviewing parties and considering process options; sometimes I produce an assessment document, and sometimes I don't, depending on the needs of the parties. The extent and form this phase takes varies significantly with the nature of the case, but it's all assessment.

I feel that it's important to think of this as assessment. It sure helps me build trust to enter a case w/ a very open, inquistive perspective.

[Report this post to a moderator](#) | IP: [Logged](#)

06-05-2003 07:10 AM



## David Bidwell

Registered: May 2003  
Location:  
Posts: 2

What I'm hearing (or reading, I guess) is a general agreement that "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.

And kudos to Merrick for reminding us all that an upfront investment often can save resources in the long run. I'll bet most of us have been burned by a process where an adequate assessment wasn't conducted. Sadly, I still believe there is a lot of resistance among convenors and participants when it comes to activities that are conducted beyond the meeting room.

This might be a topic for another day, but I'd love to hear examples of how folks have successfully advocated for assessment as a critical piece of a project. Have you found that some messages (e.g., "go slow to go fast") are more powerful than others?

[Report this post to a moderator](#) | IP: [Logged](#)

06-05-2003 02:37 PM



## Ellie Tonkin

Registered: Mar 2003  
Location:  
Posts: 6

Yikes. All these ideas boinging around on my screen--and just as I'm thinking 'But

what about such and such,' wouldn't you know the next post I stumble into says 'But what about such and such.' I have an uneasy feeling that whatever I'm about to say (and what follows will surprise no one more than me--but then again my comments always seem to turn into "less is more"--how ironic, some might even say hypocritical, that it always takes me mega-megabytes to say it) has already been said six times on some elusive thread. I was curious about Cindy Cook's term WAP, referred to by Dan Dozier--I couldn't imagine what the P stood for and it was only after I gave up opening and closing boxes that I accidentally came upon it and learned that P is for Report as in Written Assessment Report. Colin, I think, noted that a less creative acronym-chef might have come up with WAR. This caught my imagination because that, to me, is the greatest risk of putting anything in writing--that the WAP will escalate into a WAR. Recognizing that words, both written and oral, are among the mediator's most powerful tools, how do we know when to use which. The oral word can be constantly readjusted, refined, apologized for and replaced if necessary, until it does whatever's needed. This seems especially suited to exploring, building trust, opening rather than closing. By contrast, the value and the danger of the written word is that it takes on a life of its own, it invites a written reaction, and the earlier in the situation you are, the less capable you are of appreciating the implications of any particular written characterization.

Here are a few instances when I think it's useful to put things in writing early on when you're helping parties figure out what, if anything, to do by way of a neutral-assisted process:

(1) to introduce yourself simultaneously and consistently to a large group of parties so they'll have a common understanding of who you are and what you're doing mucking around in their dispute

(2) to lay out a proposed meeting agenda or a series of next steps (with the intent of creating a flexible but comforting structure within which parties can have a conversation, begin to feel that their chaos might be organized in a tolerable way, or somehow feel some forward movement)

(3) to identify issues--usually in the broadest possible terms--particularly in situations where you have been given the clear message that parties are turning a deaf ear to each other's driving concerns and a condition of moving forward for some is that their concerns be addressed.

(4) when one party is asking for a process (and a neutral convener has been engaged) and it turns out that one or more of the other necessary parties are unwilling to go forward, then I think it's useful to put in writing a succinct and artfully non-prejudicial report on the outcome of the convening effort so that everyone is clear on where things stand, to bring closure to that convening effort, and to reassure the parties who don't want to go forward that they are not being negatively cast by the convening neutral as non-cooperators.

I'm sure there are other situations, but generally I think less is more. And hi everyone. It's great reading you all.  
et

06-05-2003 06:07 PM



## Tom Fee

Registered: Mar 2003

Location: Freehold, NJ & Honolulu, HI

Posts: 7

### [Linking thread to Bingham discussion](#)

Aloha and hello to all. It was interesting reviewing this thread and recalling the issues raised in the Gail Bingham/Scott McCreary synchronous chat on the Carson/Truckee case. There were several issues that may be of interest to participants and may focus and/or shift the conversation. I liked Gail's notion (paraphrased from scribbled notes) "the mediator (when assessing) is facilitating their (the parties) shared analysis." This notion of the assessment being a shared analysis and diagnosis may be different than a seriatim set or subset of interviews(whether in person, telephonic, or electronic). (1.) What do people do when they work with the group, as a committee of the whole, subsets, pre-labeled interest groups?

Another concept that may be of interest was the idea that an assessment (whether formal/informal; written/oral; funded/unfunded) is as an educational tool. ( 2. ) How does this concept shape the assessment? (or pre-assessment as Sean Nolon at Pace Law mentioned)

In Round One we touched on the issue raised by Bill Potapchuk (and his mention of Jim Laue's approach to working with groups) of who "owns" the assessment, the parties, the convenor, the prospective mediator, intervenor, etc.? Thanks Bill. Where does that take us in our thinking about assessments?

Several other queries sparked by my reread of Gail's great summary and description that may be of interest:

(3) Query: Does everyone use an assessment to focus on openings for common ground and consensus (the agreement bias), does everyone elicit disagreements? both? Do we use these assessments to help parties create value. narrow the issues, expand the issues, (see Gail's mention of Howard Raiffa's work) and to manage risk, as well as assess and communicate risk perceptions (see Merrick Hoben's comments)?

(4 ) Query : Has anyone done an assessment and recommended referral to litigation or legislative processes? I can recall a situation where a private caucus was used to discuss the option raised by a party not participating because activism/direct action was the preferred choice/strategy of this participant not mediation.

(5) Query: Gail and Scott discussed the principle that mediation is a voluntary process that most of us follow yet the discussion raised the issue of "convenors with clout" - e.g senators, governors, etc.) and I wondered what about convenors with no clout and the challenge of herding the first session? I agree with Gail about the

strategic value of convenors with clout yet it raises some issues for all of us about power, ethics, etc. What choice do participants really have in some cases? Does it matter?

(6) Query- Could anyone describe a failed assessment? What did that look like? I can think of a case when we assessed and agreed to not move forward because some pending legislation cast a shadow on the viability of a meaningful conversation. And Gail, mentioned a case where she and Phil Harter came in after an assessment was done by someone else who had to withdraw....are these examples helpful to understand in our review?

Hope one or two of these might be of interest, another option is the delete button.

Hope everyone has a great weekend. Peace. 😊

[Report this post to a moderator](#) | IP: [Logged](#)

06-06-2003 06:01 PM



## Michael Harty

Registered: Mar 2003

Location:

Posts: 13

### How useful is a general discussion?

I am having the experience of coming up with potential exceptions to many of the propositions being offered, and suspect this is not unique. I also am quite interested to see whether we are able, with the help of our facilitators, to distill some general principles or guidelines from all this thinking. Too many specifics will undermine chances of achieving this goal.

One general principle seems to be that we [almost] always "assess" at the front end, even if there is a clear-cut set of parties, with clear-cut issues (such as in some litigation), who say they want to mediate. My only exception is someone who literally just accepts what the parties/convenor say and starts generating a meeting agenda.

A second general principle: Our approach to an assessment is context-driven to a significant degree, i.e., what is right in one situation is either too much or too little in another. This requires each of us to make a series of professional judgments, and this is where I think variations appear based on the individual assessor.

A third general principle: A form of written report is not mandatory, but rather depends on a series of factors including resource constraints, available time/deadlines, and sensitivity of the issues and situation. [Feel free to add to the list]

A fourth principle: The content of a written assessment report is context-driven. A

single or small group of templates is too limiting [although of great interest]

A fifth principle: On Friday afternoons in the summer it's important to go home [or go out if you don't have kids] and make a margarita.

Hasta luego,

[Report this post to a moderator](#) | IP: [Logged](#)

06-06-2003 08:34 PM



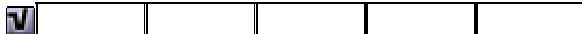
### **Kathleen Conway**

Registered: May 2003  
Location: North Haven, CT  
Posts: 2

In reading the posts regarding the difficulty of getting funding for formal written assessments and the preliminary determination of whether an assessment is feasible or desirable, it seems there are more steps in the process than preliminary, verbal and formal written assessments. What about the preliminary informal verbal assessments to introduce and educate about the process with several stakeholders to determine the possibility of interest or to understand the situation? This initial step seems more like a marketing initiative.

[Report this post to a moderator](#) | IP: [Logged](#)

06-14-2003 10:44 PM



### **Michael Harty**

Registered: Mar 2003  
Location:  
Posts: 13

#### **Assessment Workshop or Briefing**

Kathleen: I agree with you, and my recent experience is that I am conducting pre-assessment workshops or briefings more frequently for the very purposes you describe. These events often include a joint session and some individual sessions. The joint sessions tend to cover basics of the assessment process and allow all



parties to hear the same things. The private sessions can go in a number of directions; my sense is that one purpose is to allow the parties to "interview" me as a potential assessor. I also use a questionnaire to help parties think through the decisions necessary to organize and carry out an assessment. These questions focus on what sort of product they want, which gets us to the funding and level of effort. Interestingly, I'm going to do one next week where the order is reversed: I'm meeting separately with the clients, then jointly. Not sure how this may affect things.

[Report this post to a moderator](#) | IP: [Logged](#)

06-16-2003 12:02 PM



### **Kathleen Conway**

Registered: May 2003  
Location: North Haven, CT  
Posts: 2

Michael: Neither of us took your advice to divorce ourselves from the forum for the weekend I see - but perhaps we enjoyed margaritas in between following threads and posts!

My recent experience was the reverse - individual telephone contacts led to meeting with town fathers and seperately with landowner. All were interested in the concept of assessment, were willing to participate in facilitated discussions toward resolution but one stakeholder would not contribute and that has ended the discussion. I see the issue of funding, and not necessarily as an expression of power imbalance, to be a major barrier. I am relatively new to this field and would be interested in any insights.

[Report this post to a moderator](#) | IP: [Logged](#)

06-16-2003 09:04 PM



### **Tom Taylor**

#### **Interview or full group assessment**

Registered: May 2003  
Location:

The question I struggle with is whether I should conduct the assessment by meeting with the parties separately or begin the first group meeting with assessment activities

Posts: 1

with the full group (and possibly with some small group exercises). My concerns about interviews are that they are time consuming and expensive for me and the parties, it is often better for the parties to hear each other's perspectives rather than getting my biased (cleaned-up) summary and there is more buy-in if the parties define the issues and options. Commitments to participate may also be stronger when made to each other rather than to the mediator/facilitator. Interviews obviously may be essential when the parties refuse to come to the table.

*Last edited by Tom Taylor on 06-19-2003 at 02:54 PM*

[Report this post to a moderator](#) | IP: [Logged](#)

06-19-2003 02:52 PM

**Scott McCreary**

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

 **Synopsis of Posts as of 6/11/03**

A number of interesting posts have surfaced regarding Question 1, which asks:

"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?"

IT DEPENDS

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.

#### WHAT DOES IT DEPEND ON?

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

#### OTHER POINTS

Some other points made on Question 1 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.

#### SUGGESTIONS AND IDEAS

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.

#### QUESTIONS

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?

These have all been great posts - please keep them coming, and feel free to initiate your own threads if you'd like to explore a specific topic further!

*Last edited by Scott McCreary on 06-12-2003 at 07:37 PM*

[Report this post to a moderator](#) | IP: [Logged](#)



--	--	--	--	--

--	--

06-12-2003 07:31 PM

## Gail Bingham

Registered: Mar 2003  
Location: Bethesda, MD  
Posts: 9

### Thank you from me, too

I just wanted to let everyone know that I had a great time sharing this assessment with you. The questions you posted were insightful and thinking about them enhanced my appreciation of the experience.

[Report this post to a moderator](#) | IP: [Logged](#)



--	--	--	--	--

--	--

06-11-2003 01:45 PM

## alice shorett

Registered: May 2003  
Location:  
Posts: 4

### Question 1

Question--What are appropriate criteria for determining if an assessment is needed, may be needed, or not needed?

A formal assessment, involving interviews and a written report is essential in a complex, interjurisdictional dispute where

(1) there are several federal, state, tribal, and local governments and nongovernmental entities. The assessment is important to "untangle a web" of jurisdictional responsibilities and authorities to see at what points in the web of authorities might there be room for resolution.

(2) single or multiple decisionmakers commit to participating and taking the advice of the process. An assessment has one purpose of getting the proper level of policy, technical, and monetary committment to a process.

(3) there is a need for order and focus to the cacaphony of disputing voices. An assessment can frame the discussion with a set of issues, identified by the potential participants as most important. It can also suggest a scope, workable and possible for success.

Where is an assessment not needed?

All the opposite of the above--few parties, single jurisdiction, issues clear. Then, the intervenor only need interview parties by telephone or in person in preparation for a joint session.

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 02:57 PM



## Michael Harty

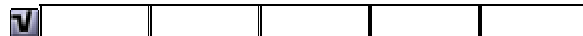
Registered: Mar 2003  
Location:  
Posts: 13

### When a written assessment is needed

Alice: I appreciate your initiative in seeking some generalizations that we can agree on. I will be the fly in the soup here with respect to your first suggestion. I might be inclined to agree with your multi-jurisdictional proposal as long as there is an exception for circumstances where a written document, while it might benefit the parties, could become a tool for potential mischief by parties outside the assessment. In other words, the situation may be so sensitive that, while all acknowledge how they might benefit from a written report, the risks outweigh those benefits. I would also allow the parties to come up with ways to reduce or eliminate those risks, such as putting in place a confidentiality order if the matter is in litigation. Does this become too big an exception?

[Report this post to a moderator](#) | IP: [Logged](#)

06-09-2003 01:05 PM



## alice shorett

Registered: May 2003  
Location:  
Posts: 4

Michael:

Yes, I agree with the flexibility of giving an assessment verbally to the parties. In several situations after completing an assessment, I have reported to the results in a joint session and the "report" is given verbally. If the case is in litigation, the discussions and report can be covered under a confidentiality clause included in a dispute resolution agreement signed by the parties.

So, yes, I agree with you amendments.

[Report this post to a moderator](#) | IP: [Logged](#)

06-09-2003 06:27 PM

<input checked="" type="checkbox"/>					
-------------------------------------	--	--	--	--	--

--	--

## Roger Conner

Registered: May 2003  
Location: Washington DC Area  
Posts: 9

### How to fund assessments and process?

Most of us are project funded. And getting the funding takes time. How can we be true to the model of a mediated assessment of feasibility given the lead time of most sources of money?

---

Roger Conner  
Director, Search for Common Ground-USA  
1601 Connecticut Ave, NW, Suite 200  
Washington, DC 20006

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 04:49 PM

<input checked="" type="checkbox"/>					
-------------------------------------	--	--	--	--	--

--	--

## Muri Baker

Registered: May 2003  
Location: Las Vegas, New Mexico  
Posts: 4

### Funding assessments

Roger, Yes that's a serious problem. And the solution is certainly not having one company or organization do the assessment and a second organization do the follow-on work if it proves feasible.

But it's more complicated than that. In March I was in the Democratic Republic of Congo doing a simplified conflict assessment and how it affected forestry resources.

This is June and the conflict there looks much different than it did a couple months before. Somehow our methodology for assessing conflict needs to take into account it's dynamics.

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 10:17 PM



## Roger Conner

Registered: May 2003  
Location: Washington DC Area  
Posts: 9

### **When assessments are appropriate . . . and not**

My experience is more like yours. In my recent work, life didn't stop just because we started an "assessment" or a consensus process.

---

Roger Conner  
Director, Search for Common Ground-USA  
1601 Connecticut Ave, NW, Suite 200  
Washington, DC 20006

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 10:34 PM



## Frank Blechman

Registered: May 2003  
Location:  
Posts: 6

### **Marketing cost**

Assessment is either a funded part of a project or it is a marketing expense. Either way, it is a cost to manage. Like any other cost, it can be just an expense, or it can eat us alive.

[Report this post to a moderator](#) | IP: [Logged](#)



06-04-2003 10:38 PM



## Muri Baker

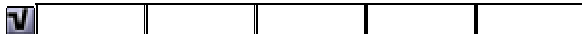
Registered: May 2003  
Location: Las Vegas, New Mexico  
Posts: 4

Hi Frank. Well you are right in that you'll pay for it one way or the other. And the costs of not having a proper assessment will be high. I assume that Roger was referring to the difficulty I've noticed in doing work for USAID in terms of logically sequencing the work and fitting that with USAID contracting and grant-making system. It doesn't fit well. I can think of several situations where USAID has modified its acquisition procedures to better fit the work to be done but it would require some serious negotiations by a group of practitioners. I'm not sure there is any interest in putting forth such an effort.

But I'm more interested in hearing your comments on dealing with conflict dynamics in assessments. It seems to me that such considerations are more applicable to longer-term protracted conflicts, such as the Congo, the Middle East and the longer term water wars like the New Mexico/Texas dispute over the Pecos River so well described by Emlen Hall in his recent book, "High and Dry". Are there ways that we can use assessments to give us (1) an understanding of the situation pre-intervention, (2) an action plan, and (3) some type of a monitoring and evaluation plan. Or is that just overloading a good idea?

[Report this post to a moderator](#) | IP: [Logged](#)

06-05-2003 12:27 AM



## David Batson

Registered: Mar 2003  
Location:  
Posts: 5

### Funding Assesments

I work for an organization (USEPA) that supports the use of ADR processes but struggles with the value of paying for assessments. It is quite hard at times to

convince a program manager that is to take the hit for funding a process that money should be committed upfront to ensure its usefulness, effectiveness, ....

One way we have found to overcome this reluctance is to create centralized funding/resources for assessment as an integral part of a routine convening effort. This has several positive affects. Having a small amount of funding available saves the manager from "gambling" precious program money to find out wheter 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 expence.

[Report this post to a moderator](#) | IP: [Logged](#)

06-09-2003 02:33 PM



## David Batson

Registered: Mar 2003

Location:

Posts: 5

### Assessment

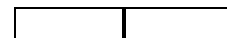
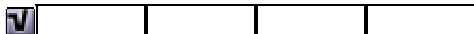
This is a GREAT array of thoughts!

One that I haven't seen as yet is the one that I always stop & force myself to consider when entering a conflict/dispute/situation (pick your word). That is: Who is this assessment for anyway? Who's needs are being served by sepending the time & resources for the assessment? Is the assessment for me as a neutral so I can do a credible job of helping, where the parties have a good sense of their discrete dispute & problems? Is this a situation where parties seem to be in long-term conflict with recurring difficulties? Is the need that of an agency struggling with how to deal with a political situation & needing information?

How I approach the idea of putting resources into (or selling the idea of) a formal assessment or WAP (God, I love Vermonters...Thanks, Cindy) has a lot to do with my preliminary observations of where the need arises.

[Report this post to a moderator](#) | IP: [Logged](#)

06-05-2003 03:59 PM



## Scott McCreary

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

### Whose Assessment Is It, Anyway?

You point out that one vital consideration in judging the appropriateness and utility of assessment is the question of "whose assessment is it". Your commentary suggests that there are two dimensions here: 1) who benefits from the assessment; and 2) who is the "proprietor" of the assessment. We are planning delve into this issue later in Round Two.

[Report this post to a moderator](#) | IP: [Logged](#)

06-06-2003 01:36 PM



## John Stephens

Registered: May 2003  
Location:  
Posts: 7



### June 3 Gail Bingham case - feedback

Thanks to Scott and Gail for a fine session examining a situation assessment.

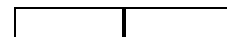
I enjoyed it and did not mind NOT talking; it allowed me to do some listening [and desk straightening, to be honest!]

Suggestion for next time: a bit shorter on the presentation and more time to dig into questions. I understand the challenge of how much advance reading people might do, so the overview by Gail was very appropriate. Also, Scott did very well bringing in people's posted questions.

It just might be nice to have more time to cover more questions.  
Two cents worth, John

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 05:17 PM



## Elaine Hallmark

Registered: May 2003  
Location: Government Camp, OR  
Posts: 6

I agree with John. Excellent presentation and discussion! I was not aware that I should have gone on-line early to download the paper and review it before the beginning of the call. Next time I will look for that in advance. I think the background material is very helpful. Thanks Gail.


[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 05:22 PM



## Tom Fee

Registered: Mar 2003  
Location: Freehold, NJ & Honolulu, HI  
Posts: 7

 **Excellent case study & synchronous talk**

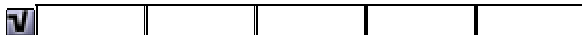
Scott and Gail (and the behind the scenes helpers):

Thanks for an interesting lesson today. The thorough and insightful review of the Truckee Carson case by Gail, the artful and tactical interviewing by Scott and the focus on the strategies of assessment fit well with our ongoing effort. The hour was well spent and the coverage of most questions was terrific. Great first effort, bravo and encore!

The discussion of moments of discovery and willingness to take risks during the assessment, the "heart" part as Gail named it as a balance to the analytical functions is an area to study and discuss. (the intuitive/heuristic and analytical/algorithmic aspects of assessment processes)

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 06:48 PM



## Roger Conner

Registered: May 2003  
Location: Washington DC Area  
Posts: 9

### Minor technical frustrations

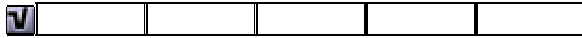
The talk and the interview were really interesting. What a remarkable memory for the telling detail at this distance in time! I joined five minutes late, and had a lot of trouble getting to the right page . . . there wasn't an obvious link on the web site. Then, for some weird reason, I could not scroll down to finish my question and get to the "send" or "post" button. It would really help next time if there were a technical person we could send a quick email "help" to, or maybe use IM to that person so we can get quick help on navigating around. I think I missed some of the conversation trying to find a place to post my question.

---

Roger Conner  
Director, Search for Common Ground-USA  
1601 Connecticut Ave, NW, Suite 200  
Washington, DC 20006

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 10:39 PM



## Scott McCreary

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

### Thanks to All for the Excellent Feedback on the Interview with Gail Bingham

We were pleased to have 39 colleagues join us; we also had a total of were 21 questions posed on-line by 11 different individuals, approximately half the questions were posed ahead of time and the other half during Gail's presentation.

We regard this dialogue as an ongoing learning opportunity, and are constantly trying to derive "lessons learned" to inform our next steps. Your comments and and feedback are a vital part of those efforts.To that end, we remain interested in hearing other feedback--both on your experience with the technology and on the nature of the material presented, the questions posed by the facilitation team by other participatnants.

Our next synchronous events will take place on June 10 at 4pm EDT. Colin Rule will

interview J. Michael Harty of CDR Associates. See the home page for log on information.

[Report this post to a moderator](#) | IP: [Logged](#)

06-06-2003 12:42 PM



## **Question 2**

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

### **Colin Rule**

Administrator



Registered: Feb 2003

Location: Cambridge, MA

Posts: 38

#### **Mike Harty Presentation**

The transcript of the just completed chat we held with Mike Harty is attached to this message. It was a wide ranging conversation, with more than 25 participants. Please read through the transcript to get a sense of what we talked about.

The assessment Mike conducted for the Bruneau and Snake River Birds of Prey NCA Resource Management Plans (which was discussed on the call) is available for download [here](#).

The RMP Collaboration Process Document BLM put together in the wake of Mike's assessment (released April 2003) is available for download [here](#).

Many issues were raised on the chat that we couldn't go into in much detail, both due to the limitations of the chat environment (to discuss those limitations, visit the [technology thread](#) in Open Space) and physical limitations on how fast Mike could type! I'd love to get into some of those issues in this thread, including:

- RogerC's point: there is a "fundamental limit on our ability to serve people and communities in conflict: Most public conflicts have fuzzy boundaries, both as to the issue and the parties, and the conflict won't stand still while the DR specialist tries to think it through."

- John Stephens' point: "this seemed to be an unusual kind of "assessment" - different questions to selected parties, the product being a general recommendation

for a kind of phased public participation rather than having a third party."

- jjostes' point on trust: "How much was this (lack of trust) an impediment to fact-finding and collaboration, particularly in light of the litigation going on?"

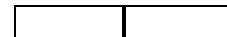
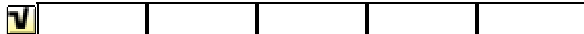
So please, let's keep the conversation going, at the risk of giving Mike carpal-tunnel syndrome! 😊

Attachment: [mikechat.doc](#)

This has been downloaded 7 time(s).

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 05:29 PM



## Murl Baker

Registered: May 2003

Location: Las Vegas, New Mexico

Posts: 4

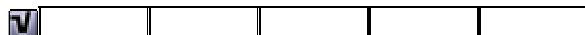
### Mike's assessment

Hi Mike, Interesting what you said about Federal managers reluctant to be very public. I found the same here in New Mexico. One of the dynamics that I have seen in public lands disputes here is that the Feds can expect to draw fire from any decision they make or anything they say publicly. Their response is to be a lot less public in their decision-making. That then just ratchets up the level of ire of user groups. Hence it seems important that any work we do, be it assessments, training, facilitation, education, etc., needs to consider how we can use the work as a means of building confidence within the disputing parties to collaborate.

Assessments can be an important part of that process but I think we have to go deeper than just describing the issues and positions. Parties' positions arise from their values, their perspective, the way they view the world. Positions can change fairly quickly, worldviews also change but much more slowly. I think helping the Feds and other parties in the dispute understand others' worldviews is of longer lasting importance and greater utility than describing the issues in detail or where more information is needed. I think understanding different worldviews is critical to building confidence and developing collaborative processes for consensus decision-making. I would even argue that in the absence of understanding different parties' worldviews, Federal land managers should avoid participatory approaches as such an approach is liable to escalate conflict.

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 10:52 PM



--	--

## Scott McCreary

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

### Tools and Methods for Assessments

For many practitioners, confidential interviews, conducted either in person on the phone, are the primary tool used to inform situation/conflict assessments. We're interested to find out what other tools and methods practitioners have used, or researchers might suggest.

Therefore, we ask in Question 2:

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

We're interested in tools and methods from both social science and perhaps the natural sciences disciplines, communication and educative strategies, statistical and survey methods, and strategies that go towards exploration of potential joint gains. We welcome accounts of both actual cases and proposed methods that are yet-to-be tested. We also welcome examples of unusual questions or sequences of questions that have been used to structure interviews.

Tools and methods can be posted here, or in the "Recommended Resources" section of [adrforums.com](http://adrforums.com).

If you need help with posting please contact Colin Rule at: [rule@raabassociates.com](mailto:rule@raabassociates.com)

Scott

[Report this post to a moderator](#) | IP: [Logged](#)

06-07-2003 11:45 PM

					
---	--	--	--	--	--

--	--

**Frank Blechman**



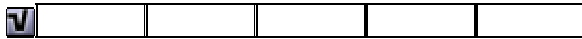
Registered: May 2003  
Location:  
Posts: 6

**Tools**

- 1) The first tool is observation. People and groups may say that they respect others (it's the others who are the troublemakers), but observation can tell an entirely different story.
  
- 2) Media is vicarious observation. Always check the clippings on issues and actors in a public dispute. History is often with us more than we know.
  
- 3) Check the law. In public disputes, the legal frameworks aren't exactly straight-jackets, but they are part of the context. Actors will use the law to not do what they don't want to do, or try to push others in favored directions. If they really want a legal-bound forum, tell them to go to court. But even in an informal or extra-legal forum, you need to know where the boundaries are, and where the gray area exist.
  
- 4) Try to assess resources. Everybody will poor-mouth: "I can't afford to sponsor this." "I don't have the time." "I don't have an expert on XYZ." These claims might be partly true, but shouldn't be the end of the discussion.

[Report this post to a moderator](#) | IP: [Logged](#)

06-08-2003 12:35 PM



**Dan Dozier**

Registered: May 2003  
Location: Bethesda, Maryland  
Posts: 5

**tools**

Frank's list of tools included:  
Media  
Law  
Observation and  
check resources.

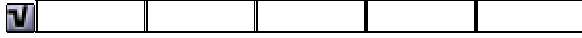
I would suggest a few additional tools. If the parties have been at the table before with the assistance of a neutral, check with the other neutral. Often in such situations, and they can be more frequent than one might imagine, the other neutral can provide invaluable insight. This applies to cases where the parties are the same, but different issues, or the same issues, different parties.

Second, also a further comment on one of the other suggested tools, in checking the law, be sure to check to see if there is any previous or ongoing litigation between or among parties. Reading filings in such a situation is very helpful.

Dan Dozier

[Report this post to a moderator](#) | IP: [Logged](#)

06-09-2003 01:02 PM



## David Batson

Registered: Mar 2003

Location:

Posts: 5

### Question 2

Dan & Frank,

I wholeheartedly agree with your perspective that we should "observe" participants in as many ways as possible in order to round out information we may receive through traditional oral interview methods common to the field. My sense is that our reluctance to use these alternative sources of info has to do with (1) our concern about justifying our time to our clients & (2) our general confort in this field with oral methods of communication & understanding.

This last reason also tends to lead us, I believe, toward too heavy a reliance on oral tools. We all know that adults have different expression & learning styles. I have found that many participants will provide much different & more thoughtful information if provided an opportunity to write responses to questions in a confidntil communication than in an oral interview. Some are just visual by nature. I have tried this as an alternative for participants & find the results very useful. I do have to admit, however, my reluctance to this approach, however, partly because of my belief in my gut for a situation is much stronger in discussion and my reluctance to create any record of a condiential communication unless requiried.

[Report this post to a moderator](#) | IP: [Logged](#)

06-09-2003 02:56 PM



## Dan Dozier

Registered: May 2003

Location: Bethesda, Maryland  
Posts: 5

#### **Written Information During Assessments**

I agree with both of your points, David -- that some folks communicate better, or more fully, or more thoughtfully, in writing. And that creating such writings does cause more confidentiality issues than a conversation.


I have found that email is a particularly useful tool for some of those written communications. While we do have some confidentiality issues with email -- which I would very much like to hear about from others, especially how to provide an effective guarentees of confidentiality -- email does have a greater immediacy and informality and does enable parties to "put it in writing".

I believe that more and more parties will want to communicate via this method, as well as by Instant Messages, a technology which I do not use at work. But I do observe my kids -- who often simultaneously talk on the phone, conduct IM conversations with more than one person, check their emails, and "work on their homework." The Washington Post even had an article about how today's kids will write more, be more "literate" in some ways, because of emails and IMs.

As for me, I am willing to read whatever anyone wants to send me, but I prefer to have a conversation. In addition to obtaining information, talk enables people to begin to "connect" and know each other as people. That, for me, is part of the initial stage of building some trust.

Dan Dozier

[Report this post to a moderator](#) | IP: [Logged](#)

 06-09-2003 03:26 PM

				
---	--	--	--	--

--	--

#### **alice shorett**

Registered: May 2003  
Location:  
Posts: 4

Frank, Dan, and David,  
You suggest tools of observation, interviews, law, media, and written communication.

I use a tool where a case is in litigation: The mediator's confidential statement or brief, delivered by each attorney representing a party to the case. I ask each party to prepare a brief background of the issues in the case, the interests of the party represented, and what they perceive the other parties' interests to be.

The material is provided following the signing of a dispute resolution agreement, with confidentiality clauses. The mediator's brief is submitted via fax (under the

confidentiality provisions of the attorneys) and via package.  
After reading the materials and doing additional research on the issues, I hold interviews with each party.

[Report this post to a moderator](#) | IP: [Logged](#)

06-09-2003 06:41 PM



## Joseph McMahon

Registered: May 2003  
Location: Denver, CO  
Posts: 6

Several comments on confidentiality and methods & tools:

1. I agree with Alice's comment about statements from counsel and using a mediation agreement. I like a mediation agreement that confirms our understanding about confidentiality and permits open exchange. When legal counsel submit a "confidential" statement, the only real confidential part can be the last few paragraphs about what a party thinks they will or will not do. I generally ask that the last few paragraphs be left off of the statement. This is motivated by the Howard Raiffa comment that we should encourage parties to have reservation values that are preliminary and tentative, not too set.
2. I have some concerns about the vast meaning to "confidential." In some instances that means "can be expressed but not with attribution" and in others it means "don't tell the parties" and in other situations "don't tell non participants." This latter approach can perhaps encourage candor but has its downsides. Candid and confidential statements may (a) suggest that the neutral will be able to use (how is often unclear or unstated) this confidential information to push for resolution, or (b) urge a party to take a position that while confidential may have the tendency to anchor their thinking. My personal view is that confidentiality has lots of limits and problems. Often what is "confidential" is not so confidential after all.
3. Tools. In what ever form, sometimes the written statement from counsel or parties can cause better thinking on that party's part, thus enhancing potential. Perhaps the process of asking the party to undertake some form of internal assessment can both cause some new thinking and open up possibilities. Although perhaps not explicitly shared, I find that a matrix of "competing, common and independent interests" helps me think through the matter.

---

Joe McMahon

[Report this post to a moderator](#) | IP: [Logged](#)

06-09-2003 08:05 PM

					
---	--	--	--	--	--

--	--

## Martha Rozelle

Registered: May 2003

Location:


Posts: 2

I frequently use an interactive computer decision support tool when working with diverse stakeholders. While I've not used it specifically to assess situation or conflict, I think it might be useful. Here's how it might work....The systems (Option finder or CoNexus are the ones I use) provide participants with a wireless handheld terminal - the size of a TV remote. Participants will respond to a series of multiple choice questions that are carefully designed to help them characterize their interests, issues, concerns, etc. Once these "demographics" are taken, every future response from that participant will be tied to his or her set of demographics. Results are shown immediately on a screen in the form of bar charts. Results are confidential in that they are shown in demographic groupings. The program is set so that at least two people must be in a group for the results to be projected.

At the risk of going on too long, I'll give a brief (and extremely simplified) example. Several years ago the Dept of the Interior wanted to develop a new policy to address the issue of "water spreading" by the agricultural industry in the western states. Due to good water conservation practices, farmers were irrigating and cultivating far more land than they were paying for. Tribes and environmental interests wanted this water returned to the streams. A task force of 14 people was convened: Idaho, Washington and Oregon sent 4 representatives each from the environmental community, Tribes, water users (irrigators), state water adjudicators. Bureau of Reclamation sent 2. After several meetings that resulted in a set of factors that should be considered in the new policy, the group used the computer tool to prioritize the factors and focus discussion on areas of disagreement. Participants were also surprised at the areas of agreement. In retrospect, we might have used the technology at the first meeting to speed up the assesment of the situation. Budget was a concern since the Bureau had to pay for people to travel to these meetings. The Bureau was happy becuse they got good information with which to draft a policy that was sent back to the stakeholder gorups for review. Has anyone else used something similar?

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 10:17 AM

					
---	--	--	--	--	--

--	--

## **Muri Baker**

Registered: May 2003

Location: Las Vegas, New Mexico

Posts: 4

### **assessment tools**

Colleagues and I did an interesting exercise in a previously rural community that was experiencing considerable change and urban growth. This was basically a focus group interview technique, but it was done in a way that allowed us to hear the underlying sets of values and narratives that participants were using to make sense of their reality. Our focus was on issues related to managing growth, but similar exercises were done on other topics such as housing, employment, youth, etc. In essence, the focus group results could have been written up as a conflict assessment, although we never formalized the results as such.

The local Healthy Community Council (a voluntary coalition of service providers) had conducted its five-year community needs assessment using written and phone surveys. After a large community summit in which the findings were reported out and the participants identified about ten areas for further research, we agreed to conduct focus group research on the topic of managing growth. This topic was outside the normal scope of the Healthy Community Council focus. But it was an issue that kept coming up and the Healthy Community Council decided this would be a good opportunity to assess attitudes, challenges, and opportunities that local community members saw related to the rapid growth in the area.

We took all of the data from the earlier surveys and identified issues that were related to rapid growth. Examples of issues included: affordable housing, transportation, environmental deterioration, loss of farmland, etc. We summarized the issues from the earlier survey in one or two words and printed each issue on a large index card. Using a different color of ink we wrote each major community institution (city and county governments, schools, churches, non-profits, etc.) on a large index card.

We used the cards to facilitate discussions by groups of about 15 community members. We started by laying all the cards (about 50) face up on a large table and we had additional blank cards for those attending to add issues or institutions that we had omitted. We asked the group to map these issues, to illustrate (with examples or stories) how they were linked, and to give some sense of the time frame in which action needed to be taken on these issues (now, soon, in five years, in ten years). We asked the group to talk about why they so mapped the issues and to name embedded community values as they reorganized the cards. Several note-takers were present to capture the essence of the discussion on flip charts. The flip chart paper was posted at the other end of the room and after the discussion, participants were invited to "view" their conversation and make corrections or amendments to our notes.

In our case, we chose to convene "mixed" groups -- that is, groups that included city and county planners, citizen activists, farmers, members of the faculty from

local universities, etc. We did not ask them to agree on a final map. The "mapping" activity was really just a conversation starter. It allowed people to see a large array of issues without having to put an issue into the mix and thereby "own" it or feel a need to "defend" it. The conversations were rich and varied and actually fun for the participants. A number of them wanted to come back for more discussion, because they were hearing things and having conversations that felt meaningful and useful but for which few venues exist in the community.

The combined findings of approximately 25 group sessions gave us a good feel for priority issues facing the community, a sense of values and trade-offs that the community seemed prepared to make in balancing community values (i.e., jobs versus a more diversified workforce). We also got a good feel for community institutions that they saw as potentially involved in dealing with the sets of issues and we derived some sense of the time frame needed to deal with various issues. We were especially pleased by how the exercise provided an opportunity to allow the participants to have positive give and take on various issues facing the community and to discover that they actually had some common ground on most of the issues.

However, it is important to remember the community context of this discussion. A range of community interests was evident before the discussion was organized, but few positions had been staked out and there was little polarization within the community on these issues. Where positions have been formed and polarization is in process, we would suggest using this technique separately with stakeholder groups before bringing the diverse groups together for a common discussion.

The benefits of this exercise include:

- Letting people interact in their discussions and seeing/hearing how they are interacting.
- Getting a handle on the complexity of the underlying worldviews that motivate the parties.
- Hearing some of the creative solutions people are toying with and learning about where they see potential resources for positive work.
- Capturing the language (especially powerful metaphors) of the parties so that you get a sense of their underlying assumptions about reality.

For more information on this activity and how it worked, you can also contact Jayne Docherty at Eastern Mennonite University Conflict Transformation Program (jayne.docherty@emu.edu).

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 01:02 PM



**John Stephens**

Registered: May 2003  
Location:  
Posts: 7

I want to pick up on the thread of talk/interaction as the dominant mode of what is counted as "doing assessment", and the asynchronous alternatives mentioned, such as responses by email/fax.

First, the dominant mode of talk/interaction stems from a "talk works" bias and the assumption that "working together" really means BEING together: good listening, following the mood of the group, etc. It is fair game to use other communication modes like computer and fax, but they still seem distant from telephone and face-to-face talk because of what can be [or at least we think can be] gleaned by voice inflection and more natural conversation settings. [I do take Dan Dozier's point that future generations may find talk/computer/multitasking to be natural for them].

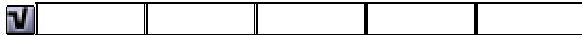
Second, we should go back to Frank Blechman's points about information/observation from sources other than the disputants and what they tell an assessor. I'm a little concerned about Dan Dozier saying: ask a prior third party. I fear that seeking input from a facilitator who has worked with some/all of the parties adds one more lens for refraction of information. Also, I think there is a tendency to bias our judgment in favor of what "someone in the profession" says if we get conflicting or confusing impressions.

Third, I do like the point about how much the written communication modes may reinforce views or demands. E-mail can vary from the most informal and stuff people would easily "walk away from" to the reactive/incendiary reply [I can't cite the studies, but my understanding is that because of the lack of F2F contact, it is easier to be rude and angry via email], to simply being the envelope for a brief/draft contract with plenty of commitment to each sub-clause.

I hope Michael Harty can pick up on some of these points [mine, and the earlier posts] during the telephone conversation today, where the rest of us will be in the darkened virtual auditorium, hanging on every word.

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 01:38 PM



## Michael Harty

Registered: Mar 2003  
Location:  
Posts: 13

### Tools and Methods

This post follows today's interactive chat. I have a few more words in my fingertips.



I love the techniques from social science/advertising described in earlier posts as something for further exploration, much as we tested out the chat room today. So get working on those grant proposals!

I am a big fan of the newspapers myself. You might have noted in the LSRD assessment that I quoted from two different news articles. The newspapers give the local editorial perspective, and framing things in headlines boils them down into the smallest form of message that the public may take away. I am always delving into archives of local papers, and also track nightly news and NPR if possible. The fact that a story is covered provides information.

Legal documents are also helpful for me as a former lawyer/litigator. I wonder how helpful they are to non-lawyers, who certainly would read them differently. Should this be a factor in how we conduct assessments of disputes in litigation? I'm not trying to diminish the tent, just understand whether this source of information is important.

As for questionnaires, I tend to create them and distribute them, but don't consistently seek written responses. My approach depends on a judgment I make in each situation. I wonder if we might be able to tease out some potential decision criteria as part of this thread?

That's it for now.

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 08:24 PM



## Dan Dozier

Registered: May 2003  
Location: Bethesda, Maryland  
Posts: 5

John Stephens said that

[A][/QUOTE] I'm a little concerned about Dan Dozier saying: ask a prior third party. I fear that seeking input from a facilitator who has worked with some/all of the parties adds one more lens for refraction of information. Also, I think there is a tendency to bias our judgment in favor of what "someone in the profession" says if we get conflicting or confusing impressions.[/B][/QUOTE]

I understand your concern John, but I can't imagine not asking another neutral who had worked with the parties or the issue for his/her perspective. I agree that it is another lens, but so are opinions from newspapers, parties, observers, etc. I also don't know if I agree with you about bias if we get conflicting or confusing

impressions. In my experience generally, and in difficult cases always, I get conflicting impressions -- in some cases to the point where one party or group of parties says red and the other says blue. Of course there are conflicting impressions. That is part of what makes it a conflict.

The impressions we obtain our research -- be it questionnaires, articles, law-related sources such as pleadings or evidence in litigation, interviews with parties or what have you -- all go into the pot. One of the great strengths of mediation (compared to litigation, for example) is the power a negotiated process has to generate information. Information of all kinds, scientific, legal, traditional, cultural, and even "memories dreams and impressions," is useful.

In a recent publication (which I don't have with me now, so I can't give the exact title), Juliana Birkhoff and others write about using different types of knowledge in stakeholder processes. All modes and types of information, at least when from parties, is valid. All modes should be accessible to everyone. The parties, not the neutral or experts, should decide how to use (or not use) information. And all types of information should be subject to inquiry and analysis. I wholly agree.

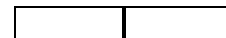
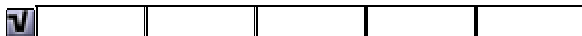
So while this riff on information is sort of off my original point about checking with other neutrals, it does address the broader point that LOTS of information, from everywhere, is of value in both the assessment and even more importantly, in a stakeholder negotiation.

Assessments may be much more limited and focused, but still, information is critical.

Dan Dozier

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 09:55 PM



## **Scott McCreary**

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

### **Tools for Exploring Potential Joint Gains?**

Colleagues,

What a fascinating array of ideas and tools have been posted!

A question that has intrigued me is whether and how we can deploy tools in the assessment process to begin eliciting and maybe even mapping potential joint gains.

It strikes me that such information is often an incidental benefit of our assessments, but that many mediators are reluctant to probe too directly about potential zones of agreement, deal points, packages.

Last year at USIECR, Howard Raiffa described a fascinating case in which a researcher [representing herself as a researcher] was quite overt in presenting potential packages of agreements as a way to move the parties in a European environmental case.

Should we be more bold in trying to map the shape of a potential agreement up front?

I look forward to hearing from you!

[Report this post to a moderator](#) | IP: [Logged](#)

06-11-2003 12:52 AM



## Jonathan Raab



Registered: Mar 2003  
Location: Boston  
Posts: 4

I want to echo the importance of Scott's question and encourage folks to weigh in.

It's relatively easy to assess whether folks are willing to come together to deliberate on an issue. It's a little harder to assess whether those deliberations might be educational and productive in terms of understanding other stakeholders' perspectives, and possibly even beginning to air options and solutions. But it's much more difficult during the assessment stage to ferret out whether mutual gains solutions (and hence settlement) are possible. Yet, if we can't make exactly this assessment, what are we basing our recommendations to go forward -- simply that we can get folks to agree to be in the same room w/o too much blood shed and they might learn something?

It would be great to hear from others about specific tools they have used to try and ferret out whether joint gains (and ultimately settlement/agreement) are possible during the assessment stage. (Of course I'm also interested in hearing about how valuable people think assessments really are, w/o trying to ferret out this issue.)

[Report this post to a moderator](#) | IP: [Logged](#)

06-11-2003 09:49 AM



## Michael Harty

Registered: Mar 2003

Location:

Posts: 13

### Other lenses and joint gains

A quick contribution.

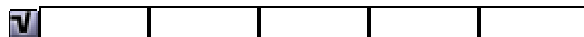
For Dan and John Stevens, I see the value in both perspectives. I am inclined to remain open on consulting with another neutral who has had experience that might be useful as part of an assessment. I would not dismiss this option as inappropriate per se, but rather test each decision against some criteria. For example, we might ask whether the parties to the assessment should be advised of the assessor's communication with another mediator. This might raise all sorts of obstacles and hackles, and it gets at "who's assessment is this?" We might also ask whether we are being respectful of confidentiality from the other case. A third criterion might be the type of information we are seeking. For example, are we looking for some context about a regional or local conflict that has significant history? Are we seeking some understanding of potential cross-cultural factors? Are we asking how a particular issue or potential solution was addressed? Are we asking about a particular individual's reputation? I am interested in whether these shadings would make a difference to others; I am not sure at this point.

For Scott and Jonathan, I too am interested in this value-creation question following Howard's presentation. I admit I have tried to incorporate it into a few assessments through questions that are pretty direct, such as: "What might you bring to the table as part of a potential solution that would leave other parties better off?" This is not so subtle, but it's the best I could do. My experience has been that parties tend to be untrusting of a neutral during the assessment and reveal very little of their negotiating strategy, particularly if they don't have sufficient lead time. So my current approach is to make it known that I will be interested in this information well in advance, to encourage people to make it part of their interview preparation.

That's it for now.

[Report this post to a moderator](#) | IP: [Logged](#)

06-11-2003 02:22 PM



--	--

**is that so wrong?**


Yes,Jonathan, I agree that it's hard at the outset of a process that parties haven't even agreed to undertake, to reliably predict the potential for mutual gains, the likelihood of reaching agreement, or generally what's going to happen. I also agree that it's more within the mediator/assessor's grasp to speculate about whether people are willing to sit down in a room together for some common purpose (or combination of not mutually exclusive purposes), whether something useful is reasonably likely to come of it, and how much bloodshed is likely to occur. You ask if this is "simply" all the assessor is doing, to which I reply, is that so wrong? And it's a lot. Isn't it presumptuous and dangerous to do more for parties at this stage-- before they've had the chance to do it for themselves in the context of a process that they will shape? Isn't the whole amazing thing about mediation that you don't know what's possible when you get people to sit in a room together with a minimum of bloodshed? I realize, I really do, that we're not talking about simple situations where you have two neighbors arguing over the destiny of a tree who just need to sit down and work it out. When you're dealing with multiple layers of government and all kinds of other public and private entities, the meaning of both "sitting down in a room" and "a minimum of bloodshed" changes in the specifics, but I think the principle still holds. What principle, you might ask, and now I feel this terrible responsibility to articulate it. I guess it's 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. And, 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. What if a party asks you to do more, to predict the outcome, to give advice? What's a neutral to do. I think it's different if you're in a process and the parties by consensus are asking your opinion. But if one party is asking, aren't you then a consultant to that party rather than a neutral because the other parties haven't bargained for this kind of input and they might think it's not in their interest for you to be giving it? Now I might be in over my head so I'll sign off and hope there was a kernel of sense somewhere in here.

et

**Ellie  
Tonkin**

Registered  
: Mar 2003  
Location:  
Posts: 6

[Report this post to a moderator](#) | IP: [Logged](#)

					
---	--	--	--	--	--

06-11-  
2003  
06:00 PM

--	--

Registered: May 2003  
Location: Berkeley, CA  
Posts: 2

Michael Harty noted that parties tend to be untrusting of a neutral during an assessment. I find this to be especially true in developing country contexts. So I'd like to ask: What are some tools and methods that could be used to build trust in an assessment process between an American assessor and developing country stakeholders who have deep distrust of both their government and foreign offers of aid?

[Report this post to a moderator](#) | IP: [Logged](#)

<input checked="" type="checkbox"/>							
-------------------------------------	--	--	--	--	--	--	--

06-11-2003 06:10 PM

## Scott McCreary

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35



### Synopsis of Posts as of 6/11/03

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
- Questionnaires
- Interactive computer decision support tools (Option finder or CoNexus)
- Issue mapping activity among a community focus group

Participants have 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 attorney representing a party to a case when a case is in litigation.

In addition, participants weighed in on whether and how tools can be deployed in the assessment process to begin eliciting and maybe 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. And, 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."

What do you think? We'd be interested in hearing about this and about more tools and methods you have used; for example, has anybody used decision analysis software, visual tools such as photographs or satellite imagery, or any specific non-verbal clues from people or a landscape to inform an assessment? We'd like to know!

[Report this post to a moderator](#) | IP: [Logged](#)

<input checked="" type="checkbox"/>							

06-12-2003 07:34 PM

### **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 some of the considerations for the assessor doing, or not doing the mediation?

### **Scott McCreary**

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

#### **Question 3a - What is the role of stakeholders in an assessment?**

A recurring set of questions emerged during Round One of the Online Dialogue that dealt with the respective roles and responsibilities of key players initiating and carrying out assessments. Question 3a seeks to elicit your insight on the following topic:

- What role should stakeholders have in designing and conducting an assessment, as well as in interpreting its findings?

We'd like to know what experiences you've had with assessments that involved high/low/no stakeholder involvement, and how that influenced the overall assessment.

[Report this post to a moderator](#) | IP: [Logged](#)

06-12-2003 04:48 PM

<input checked="" type="checkbox"/>							

## Frank Blechman

Registered: May 2003

Location:

Posts: 6

### Stakeholders & Assessment

Directly or indirectly, the stakeholders will be the key designers and interpreters of an assessment. I can ask whatever I want, they will tell me what they want to tell. I can conclude whatever you want, their conclusions carry the day. If they don't like my approach or findings, they may find another forum.

In practice, I think I am more ambiguous than the paragraph above sounds. I know that the assessment is a pre-negotiation; an effort to create a framework folks will want to be part of. At the same time, I think that it is a professional activity that shouldn't be dragged around and manipulated by others parties, just as I shouldn't drive it based on my biases.

As with most things, this is not either/or. It's both/and ...

[Report this post to a moderator](#) | IP: [Logged](#)

06-12-2003 04:49 PM



## Joseph McMahon

Registered: May 2003

Location: Denver, CO

Posts: 6

### Borrowing from international development efforts

If we borrow some thinking from the field of international development, then the answer is "yes" - there is a role in shaping both the process and desired outcomes. In development work (where the assessment is more situational than conflict), the practice began sometime ago called PRA, or "participatory rural assessment." That has expanded in many ways to various forms of program monitoring and development in international development. Making the process participatory seems to advance two themes: (1) facilitates/improves the assessment of the conflict/situation and (2) provides part of the data for program monitoring and evaluation of conflict management processes to help improve later assessments/collaborative efforts.

---

Joe McMahon

[Report this post to a moderator](#) | IP: [Logged](#)

06-15-2003 09:25 AM





## Elaine Hallmark

Registered: May 2003  
Location: Government Camp, OR  
Posts: 6

### **The Good and The Bad in Stakeholders' Shaping the Assessment**

I certainly feel an assessment needs to be collaborative in the sense that the stakeholders should have a say in how it is done, what is done with the information, and what develops based on the assessment. However, I have experienced some rather arbitrary parameters being placed on an assessment by parties that have kept the assessment from being the kind of educational and evolutionary process that can be most helpful. Some of the parameters came from assumptions about the assessment leading to a formal report at a specific time. Unrealistic time constraints were placed on the completion of the report, that did not allow for any back and forth discussion about things being learned in the assessment. The parties had also requested that the mediator make an absolute recommendation about going forward or not as of that date and in that report. It is very difficult to help parties understand "conditions" for going forward, when they have to be written down and cannot be discussed.

I think in some cases, like this one, the assessment should just turn into a negotiation over the "shape of the table" or the terms for going forward without a whole lot of report back from the assessor. Then either the parties can reach agreement on those terms or they cannot, and that is the result of the assessment.

I fear that by defining assessments as something complete unto themselves and separate from the convening that we aid the parties in misusing them.

In this case, the assessor recommended that the parties not go forward unless x, y, and z could happen. Those items did not happen because the completion of the assessment report terminated the process of working with the parties. That was how the process had been designed. After a short time the party with the overriding power was able to "push" the others into a mediation which did not start off with any agreement among them about how they would work, and even on what they were seeking agreement. Although the mediation (in which the assessor was asked to get involved) did assist in developing some lines of communication, it was not able to move very far.

[Report this post to a moderator](#) | IP: [Logged](#)

06-20-2003 08:27 PM



## Scott McCreary

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

### Question 3b - Whose assessment is it anyway?

Question 3b asks:


- Whose assessment is it anyway?
- What are appropriate roles for the sponsor, funder, convener, assessor?
- Should the sponsor/funder or convener be allowed any special privileges?

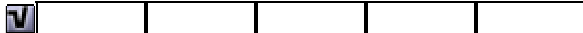
We'd like to hear about assessments where roles and responsibilities were clearly delineated up front as well as those cases in which roles were clarified/improved well after an assessment was launched.

Are there any general rules or even emerging policies that your organization uses to step out the respective responsibilities?

*Last edited by Scott McCreary on 06-12-2003 at 06:19 PM*

[Report this post to a moderator](#) | IP: [Logged](#)

 06-12-2003 04:22 PM



## Scott McCreary

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

### **To Kick This Off..A Steering Committee Can Help**

One strategy CONCUR has used to bring clarity to roles at the front end of an assessment process is to convene at an Ad Hoc Steering Committee of stakeholders to serve as a sounding board.

For example, in a current case, we were approached by a local government and a water district to examine the merits of a facilitated process to create consistent policies and regulations for water resource management.

We were asked to give parties an initial briefing on the look and feel of a potential facilitated process, and suggest next steps. We suggested undertaking an assessment, structured around about 20 interviews. We further suggested that the assessment process should produce a written report, which we would circulate in first draft to a multistakeholder Steering Committee [numbering about 6 individuals], and then bring back to the full group of interested stakeholders. The Steering Committee including reps of the two initial convening entities, as well as a subset of the other major stakeholders active in the issues. This approach was viewed as both pragmatic and legitimate by the parties

We followed this strategy, with the full support of all parties. Our assessment did recommend going forward with a facilitated collaborative, which is now in its sixth month and nearing a ratified agreement.

Scott

[Report this post to a moderator](#) | IP: [Logged](#)

06-16-2003 10:20 AM



## Dan Chay

Registered: May 2003

Location:

Posts: 1

### Whose assessment is it anyway?

Hi Scott,

In the discussion related to Question 1, Tom Fee raised the possibility of using assessment as a "training and orientation to mediation, collaboration, consensus-based approaches to decision-making and problem-solving."

Gerald Cormick's thought piece titled "Where, When, and How to Use Mediated Negotiations: A Checklist for the Potential Participant" takes this assumption farther. The document is a checklist to help the parties think through an assessment for themselves of a mediated process.

The following observations seem important to me:

- A **dynamic assessment process** invites everyone involved to begin to develop a rich picture of the situation and possibilities
- **Everyone is assessing** during the assessment phase, and this can be explicit

- The assessment phase is a **learning opportunity** for everyone involved (I like to make this explicit as well)
- A significant **decision point follows the assessment phase** regarding the question of whether to proceed or not

The ad hoc steering committee approach you describe allows for all of the above, I believe.

In Gerry's essay, he suggests, "The most important rule in selecting and using a mediator is: 'If you have any reservations, don't select them and if you develop any reservations, get rid of them.'"

This gets back to the originating question, "Whose assessment is it anyway?" and the obvious follow-up question, "Who will own the process, its output, and its outcomes?"

Unfortunately, from my perspective, I have seen too many government-sponsored "mediations" and "collaborative processes" where stakeholder involvement in the assessment/design phase was minimal to non-existent; where so-called "representative" participation in the actual process was not reflective of the complexity of the situation; where there was no opportunity by non-sponsoring participants to "get rid of them (the mediators)"; and where output and outcomes were manipulated.

It seems to me these challenges are likely to be compounded when processes are initiated without an assessment phase.

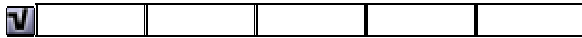
Thanks for sharing this approach, Scott.

Grins and best wishes,

Dan Chay


[Report this post to a moderator](#) | IP: [Logged](#)

06-19-2003 01:48 AM



## Elaine Hallmark

Registered: May 2003  
 Location: Government Camp, OR  
 Posts: 6

 **Who Initiates, Who "owns" and who pays?**

When we ask whose assessment it is, I think there are these 3 very difficult

questions intertwined. First, I have to say I am going to talk about the kind of assessment that may lead to a specific mediation or collaborative process, and is likely to be part of the convening of that process. I think the kind of assessment that is done on behalf of one party to give them information to help them decide how to proceed is something different, and we should define it differently. (I'm not going to advocate one way or another about whether we mediators should do them, as per Gerry Cormick's decision that he does not do those.)

In the potential "convening" type assessment, as I understand it, the USIECR requires that some of the parties request the assessment, and put some definition or parameters around it. (Please correct me if I misrepresent, here.) I think this is often related to who pays or how it is paid for, and that is tied to the perceptions of who "owns" it. For the sake of developing the best practice in theory, I think we should separate them. Gerry separates them in practice, I gather, by often doing some or most of the assessment pro bono. Many of us have reached a point where we cannot always do that. But it still begs the question of who asks for it, or initiates it.

I have been wondering if we don't need some mechanisms for initiating assessments without the parties' asking for it. I realize this may be controversial, but I would love to hear thoughts on this. From the stories I have heard about how this field started when processes were funded by grants, not by the parties, I believe the grant funded mediators went out and "assessed" known conflict situations to see if the parties would be amenable to mediation and if the conflict would be appropriate for it. I think the assessment still "belonged" to the parties, as they were the ones to decide what to do with it, whether to cooperate with it, share information and ultimately move forward or not.

I think there are still many situations that appear to cry out for a mediated or collaborative solution, but the parties don't know how to ask for it, or don't know enough about the processes to know what could be possible. Some of my thoughts on this come from having screened many environmental cases in litigation as a part of a pilot project. I was not able to do assessments or really educate the parties in a meaningful way, and I found they did very little. The attorneys "assessed" whether it was likely the other parties would give in to their demands or compromise in a way they would like, and if they didn't think so, they didn't think mediation could work. In most cases they did not really know the interests of the other parties.

Interestingly, in many courts now, the parties have to file something stating they have assessed the opportunities for alternative dispute resolution, and these have become quite perfunctory. I wonder what would happen if the Judge ordered a neutral assessment with the parties in some of the complex public policy type cases. I don't think the judge would have to "own" the assessment, but it might make the decisions to use alternative means or not, more meaningful. (Some judges consider ordering mediation, but they don't really know when it is appropriate, or what they are really ordering.) Ordering an assessment, might be a better step.

I also wonder if we couldn't develop neutral institutions that advocate for use of collaborative processes and actually begin assessments without being solicited in obvious disputes, or begin them when the dispute is brought to their attention by any one of the parties, but not doing the assessment on BEHALF of that party.

I recognize the problem is "who pays", and are you just "ambulance chasing" to get


a chance to do mediations? That is why I wonder if neutral institutions who are not getting the cases for themselves would work. I believe some of the state offices and perhaps USIECR have done a bit of this, but I don't think they have seen it as being appropriate to intervene when not specifically invited.

In summary, I do think the parties have to own the assessment, and have to be free to decide what to do with it. I think the parties need to choose their own mediator, and perhaps the person who really designs the process with them. This creates the "hand-off" situation from the intervening assessor to the selected mediator/assessor, which I am not sure can be avoided.

I would definitely like to hear more on this, but I know our time is about up in this dialogue.

[Report this post to a moderator](#) | IP: [Logged](#)

06-20-2003 07:58 PM

					
---	--	--	--	--	--

--	--

## Scott McCreary

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

### Question 3c - Should assessors do/not do the mediation?

Question 3c asks:

-What are some of the considerations for the assessor doing, or not doing the mediation?


Are there general rules that you apply to this question? Or does it vary by context? We're interested to know what factors have come into play in the deliberation of this situation.

We look forward to your posts!

*Last edited by Scott McCreary on 06-12-2003 at 06:21 PM*

[Report this post to a moderator](#) | IP: [Logged](#)

06-12-2003 04:43 PM

					
---	--	--	--	--	--

--	--

## Joseph McMahon

Registered: May 2003  
Location: Denver, CO  
Posts: 6

### Depends on the role and method

I think that this question cannot be answered independent of the issues raised in the prior discussions concerning the role of the assessor.

1. What was the role of the assessor?
2. What methods were used by assessor?
3. Do either (1) or (2) above suggest that the assessor would have difficulty in changing (to the extent change is needed) to the role of mediator? Has neutrality been diminished? Does the assessor have (or is perceived to have) a stake in the outcome? Was confidential information exchanged to a degree or by method that seems inconsistent with serving as a mediator? Even if asked, does the neutral believe continued service is appropriate?
4. What are the factors suggesting that a continued role is helpful? Cost savings? Stakeholder confidence in the neutral? Ease of transition to the next step? Can the stakeholders really express an objective view on this or is their view tainted by the prior process?
5. What were the participants' expectations about this? Was this discussed at the initiation of the process? If offered the chance or expectation to change neutrals was offered to the parties, do they feel they can ask for that without appearing to be causing difficulty? What the default decision that another neutral would mediate unless all asked otherwise?
6. (If cost permitted) Would the use of two neutrals with differing roles in the assessment make transition to mediation easier (second neutral takes the lead in the mediation phase)?

---

Joe McMahon

[Report this post to a moderator](#) | IP: [Logged](#)

06-15-2003 09:07 AM



## Frank Blechman

Registered: May 2003  
Location:

Posts: 6

**Split roles/teams**

In theory, having different people or groups do the assessment, the design and the intervention might make sense, but I've never seen it work all that well.

The "new" team has to relearn some of what the previous team determined. Participants get frustrated with the sense that we're going over old ground AGAIN. Chaning third parties is no more efficient than changing any other parties in the middle. Sometimes you have to do it, but it usually slows things down.

However, I have seen differing roles within an intervention team work well; with different parts within the same team leading different phases.

*Last edited by Frank Blechman on 06-19-2003 at 08:57 AM*

[Report this post to a moderator](#) | IP: [Logged](#)

06-15-2003 09:53 AM



**Ellie Tonkin**

Registered: Mar 2003  
Location:  
Posts: 6

**separation of powers**

I agree with the emerging answer to this question (which seems to be the answer to most questions we're exploring here), namely, it depends. At EPA, it is common practice for the agency to offer either an in-house neutral from our ADR Program or an agency-funded outside neutral for the limited purpose of helping parties assess whether and how to proceed with a neutral-assisted process. Because of the stage of this neutral intervention, the parties have not jointly agreed on the identity of this "convening" facilitator. In the context of the kinds of cases that come our way, we place a high value on truly consensual mediator selection. It seems more important in processes where an active dispute is being mediated (as opposed to collaborative decision-making or stakeholder input), where there is a history of mistrust and/or personal rancor among some of the parties, where there is a power imbalance such that some parties are not secure that their voices will be heard, and finally where there's likely to be a perception that the agency (or any other party that's contributing disproportionately to funding the mediation services) is trying to control the process.

Increasingly often, we have seen mediator selection be one of the most pivotal stages of an assisted process. It is a time when parties who have been unable to talk to each other discover their capacity to reach consensus on a decision they did not expect to agree on. This means that the convening neutral makes clear that



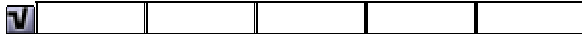
there will be a subsequent mediator selection process should the parties decide to proceed with mediation. The more deeply the convenor gets involved with assessment, the harder the transition and the more burdensome the expectations placed on the selected mediator. In most cases, however, we have seen the transition work very smoothly and it has come up in several instances where we have used in-house convening services that we have been called back in at the consent or request of the parties to participate on the mediation team in some capacity.

A cautionary tale with a happy ending: In one case where the agency had arranged for an outside neutral to conduct a more complete preliminary assessment to be embodied in a written report, our ADR program was approached by certain parties who mistrusted the assessment process based on their perception that the assessing neutral had an interest in becoming the mediator -- they considered this to be a conflict of interest. Before the convening was completed, this neutral (I think for unrelated reasons) withdrew from consideration as the mediator for the process being recommended. This significantly enhanced the credibility of the assessment in the eyes of the parties who had raised the conflict issues.

That said, I am certain there are many instances where the convening/assessing role morphed naturally into the mediating role. Some examples from others might further clarify when that makes more sense than the model I've described.  
et

[Report this post to a moderator](#) | IP: [Logged](#)

06-16-2003 03:44 PM



## Jonathan Raab



Registered: Mar 2003  
Location: Boston  
Posts: 4

**Re: separation of powers**  
quote:

---

**That said, I am certain there are many instances where the convening/assessing role morphed naturally into the mediating role. Some examples from others might further clarify when that makes more sense than the model I've described.**

---

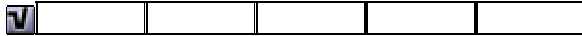
We more often than not are retained by an agency or agencies to facilitate a collaborative process, and then insist on doing some form of assessment (as in depth as we can get funding for) to interview the stakeholders. Although, we are obviously interested in stakeholders' perceptions about the value of convening a collaborative process in the first place, the main focus is on how best to design such a process (since the agency/agencies are already interested and ready to go).

In these situations, it's generally a given that we will be facilitating the process so the issue of whether the assessor will also be the mediator is less prominent. However, the interviews then become more of a formal convening phase than pure assessment.

On a personal note, I know that if I was a mediator selected after someone else had done an assessment, I would still want to contact as many of the stakeholders as possible prior to the first meeting to 1) introduced myself and vice versa; and 2) verify that the assessor got it right.

[Report this post to a moderator](#) | IP: [Logged](#)

06-16-2003 04:36 PM



## Dan Dozier

Registered: May 2003  
Location: Bethesda, Maryland  
Posts: 5

**Re: separation of powers**  
quote:

---

*Originally posted by Ellie Tonkin*

**The more deeply the convenor gets involved with assessment, the harder the transition and the more burdensome the expectations placed on the selected mediator....**

**This means that the convening neutral makes clear that there will be a subsequent mediator selection process should the parties decide to proceed with mediation.**

---

I agree with Ellie. My experience with assessment/convening for multi-party stakeholder processes is quite different than convening parties to negotiate, for example, enforcement issues. In policy dialogue/stakeholder processes, the parties seem to be more comfortable with the convening/assessing neutral to function as the facilitator.

In enforcement cases the parties are much more likely to select a different person as the mediator. I believe that many parties are concerned that the convenor, who often is initially selected by an outside agency, is somehow less neutral than a mediator they select on their own.

When I function in such a situation, I very early make it clear to the parties that the selection of the neutral is their choice, that they are encouraged to look widely, and that they should fully exercise their right to select the mediator.

Often that means the convening neutral, almost by virtue of having been selected by one of the parties (the agency) should not be selected. While once-in-a-while parties will ask to select the convening neutral, that is the exception. The general pattern is that the parties will wish to select someone new, someone not selected by the Agency to do the convening.

Since agreement on the neutral, as Ellie pointed out, "is a time when parties who have been unable to talk to each other discover their capacity to reach consensus on a decision they did not expect to agree on..." is so critical, the convening neutral must be sensitive to these perceptions of potential bias. This often means taking one's name out of consideration for selection as the mediator.

Dan Dozier

[Report this post to a moderator](#) | IP: [Logged](#)

06-17-2003 03:19 PM



## Technology Discussion

### **Colin Rule**

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

#### **technology overview**

Greetings!

As one of the technology designers behind this Working Group, I want to make a few things very clear:

1. Don't get stressed if you're confused at first. It doesn't mean you're not smart. Everything has a learning curve, and new things often feel weird at the beginning. Once you try it for a little while it will quickly get easier and more intuitive.
2. Give it to us straight! We want to hear about your frustrations and your successes. Don't mince words. Some of the problems and complaints we can fix, others we can't, but the point of this exercise is to get as much honest feedback as we can get.
3. You can't hurt our feelings. If you think this is a waste of time don't hesitate to tell us so.

I interact all the time with mediators who say that technology can never replace face to face communication, and that key aspects of human interaction are missing in online environments. I totally agree!

The goal for these tools is not to replace face-to-face (we sometimes call it f2f) communication. It's not an either/or equation. Face-to-face communication is crucially important, and more often than not it's essential to getting people to understand each other and to move toward resolution. But there are some things that technology can do really well, and it can help participants and dispute resolution professionals focus on the issues and conversations that really matter while minimizing the time they have to spend on administrative minutiae, paper pushing, and battling the chaos of everyday entropy.

One day in the near future this forum environment we're using will seem laughably primitive -- in ten years we'll probably all have videophones in our houses and digital paper to share with each other. If there's one certainty in this business it's that the technology will continue to improve and innovate, making things possible that were impossible (or at least highly impractical) before. But these experiments are crucial in that they tell us what works and what doesn't so we can move in the right direction. The key element in making progress in the right direction is getting accurate and honest feedback from all of you.

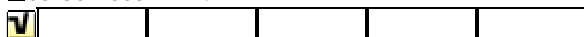
I'll be in this forum along with John Helie (a much bigger tech pioneer than me, who is also on the Steering Committee for this Working Group) throughout the working group process, trying to solve problems that come up and to process the use of these tools with you. This is a big event for the field of ODR, and I'm very pleased to have an opportunity to share it with you!

rah  
Colin

ps. If anyone is interested in having a little picture of themselves-- or anything else - - next to their postings (like the one of me next to this posting, on the left hand side of the screen -- it's called an "avatar") I'd be happy to work with you to put it in place, just let me know.

[Report this post to a moderator](#) | IP: [Logged](#)

05-30-2003 12:40 PM



## Roger Conner

Registered: May 2003  
Location: Washington DC Area  
Posts: 9

### snafus

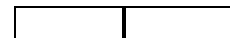
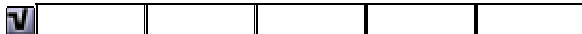
I spent a lot of tie during Gail's talk trying to find the right section of the site--it wasn't obvious--and then trying, unsuccessfully, to post a question. I felt bad for the people who did post questions, virtually none of which were answered. I got uncomfortable. Why are these people just talking on as if none of the questions were posted? I really wanted to hear the moderator say, "questions 2, 5, and 16 are all asking the same thing in different ways. To paraphrase, they ask, blah blah blah. What's your answer? If people go to the trouble to send qeustions, they should be answered, if at all possible. Or don't solicit them.

---

Roger Conner  
Director, Search for Common Ground-USA  
1601 Connecticut Ave, NW, Suite 200  
Washington, DC 20006

[Report this post to a moderator](#) | IP: [Logged](#)

06-03-2003 11:32 PM



## Colin Rule

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

**Re: snafus**  
quote:

---

*Originally posted by Roger Conner*

**I spent a lot of tie during Gail's talk trying to find the right section of the site--it wasn't obvious--and then trying, unsuccessfully, to post a question.**

**I felt bad for the people who did post questions, virtually none of which were answered. I got uncomfortable. Why are these people just talking on as if none of the questions were posted? I really wanted to hear the moderator say, "questions 2, 5, and 16 are all asking the same thing in different ways. To paraphrase, they ask, blah blah blah. What's your answer? If people go to the trouble to send questions, they should be answered, if at all possible. Or don't solicit them.**

---

Roger--

Thank you for your feedback! It's more valuable than you know. As these are very early experiments, I'm anxious to learn how we can do things better.

1. It's obvious that I need to do a better job informing people about where to go to participate in the synchronous events. Maybe a message posted in the discussion forum, and a prominent link on the homepage of the site (adrforums.com) -- where else? Should I send out an email to all participants with specific instructions about how to log in and how the technology will work? I don't want to annoy people with too many messages, but I'm keen to avoid any future frustrations along the lines of what you experienced.

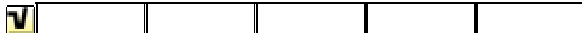
2. We need to be clearer with the presenters and the facilitators that they need to consistently refer to the questions submitted online. I think it will be less of an issue with Mike next week, as all of the conversation will take place over text, but I'll make sure Mike Eng and Jerry are informed about the importance of citing submitted questions and paying attention to the points they raise.

We actually had a tool programmed where Gail would have had the ability to respond to questions textually \_in addition\_ to her oral answers, but we decided at the last minute to go with audio only because we were worried it would be too confusing for her.

I'm anxious to get feedback from others on this. What worked, and what didn't? This is an experiment, so we need to glean as many lessons as possible from what goes on. Thanks Roger for stepping up with some good constructive criticism. Keep it coming!

[Report this post to a moderator](#) | IP: [Logged](#)

06-04-2003 06:42 PM



**Roger Conner**

Registered: May 2003

Location: Washington DC Area  
Posts: 9

**suggestions**

1. If there is an event that is synchronous, there should be a link on the home page, prominently displayed. If the topic of the synchronous forum has a title that sounds like one of the electronic forums, perhaps a notice and link that says "if you are looking for the live forum with Gail, click here."
2. Did you figure out why I was not able to see the button to submit a question on my screen? There was not a scroll bar in the pane that had the box for the questions, at least not on my screen.
3. I liked the audio. Would have really liked someone to say "questions 3, 11, and 17 are similar. Let me restate them all as . . ." then invite the questioner to resubmit if they didn't get what they wanted. Pressing your presenter to give short answers and get to all of the questions will give us appropriate feedback.

---

Roger Conner  
Director, Search for Common Ground-USA  
1601 Connecticut Ave, NW, Suite 200  
Washington, DC 20006

[Report this post to a moderator](#) | IP: [Logged](#)

06-04-2003 10:39 PM



**Colin Rule**

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

**refining the presentations**

All good suggestions. I put a box on the homepage ([www.adrforums.com](http://www.adrforums.com)) with a picture and a link to the page hosting the next synchronous event. The next one is Mike Harty, on Tuesday. I'll post a message in this forum announcing it again early next week.

I'm not sure why there was no submit button in the left pane of the participant interface for you... let me look at the code of the page to see whether or not scroll bars were turned off for that frame. Can you tell me what resolution your screen is set to, and which browser you're using?

And I will urge Mike Eng to refer explicitly to the submitted questions -- I think Mike Harty's text chat will suffer less from that, as the text will be the focus.

We move onward! I'm noting all of these observations and will include them in our final report on the project. Thanks, Roger.

[Report this post to a moderator](#) | IP: [Logged](#)

06-05-2003 10:26 AM

				
---	--	--	--	--

--	--

## David Batson

Registered: Mar 2003  
Location:  
Posts: 5

### Problem with posting questions

Colin wrote:

"I'm not sure why there was no submit button in the left pane of the participant interface for you... let me look at the code of the page to see whether or not scroll bars were turned off for that frame."

>> I had the same problem accessing the fields below my name in the left section of the page (under Gail's picture). No scroll bar existed to move down the page in that section. The only way I could see the question filed was to reduce the font so small for that section of the page that a reply was impossible to compose.

I look forward to you screen wizardry before Michael's talk tomorrow.

[Report this post to a moderator](#) | IP: [Logged](#)

06-09-2003 03:05 PM

				
---	--	--	--	--

--	--

## Colin Rule

Administrator





Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

**no scroll bar**

I think I've figured it out -- the frame was set to suppress the scroll bar, so even though the submit button was there, on certain screen resolutions it was pushed off the bottom of the screen so that the user couldn't get to it.

Ah, the challenges of untested technology! I'm sorry for the snafu. I've fixed it now, so even though we're not going to use the same tool for Mike's presentation (we're going to be doing a text chat instead) it will benefit us with Jerry's talk in two weeks.

Thanks for the feedback!

[Report this post to a moderator](#) | IP: [Logged](#)

06-09-2003 04:46 PM



**Colin Rule**

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

**The next level of solutions**

As any of you can see, I solved the frames problem David mentioned by eliminating the frames altogether for Jerry's presentation... so we shouldn't have any problems.

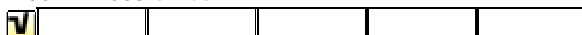
Check it out at

<http://www.adrforums.com/jerryquestions.php>

Let me know how it works! Hopefully we'll have no snafus this time...

[Report this post to a moderator](#) | IP: [Logged](#)

06-17-2003 01:03 PM



--	--

## John Stephens

Registered: May 2003

Location:

Posts: 7

### Round Two - June 10 Online Chat Forum

First, I'm glad we had this contrast to the June 3 "listen in" telephone conversation between Scott and Gail. I think we can learn from the various modes and their advantages/disadvantages.

My quick take on the online chat format:

#### POSITIVES

1. Very good work by Michael and Colin - very responsive, clear and courteous.
2. Good to restate questions.
3. Good questions from participants.
4. Easy to follow discussion - layout was fine for me, with different color fonts for people's comments.
5. Nice to create a record for reference.
6. I looked at the document off and on as the chat went forward; that was convenient.

#### NEGATIVES

Biggest negative - wait time between messages. Easy for mind to wander, found myself much more distracted in comparison to the telephone forum of June 3.

1. Could not scroll up to earlier messages; could only see about 4 minutes of time in one view. Annoying.
2. Interruptions of discussion with new questions. Posed problem of what to answer first - and old question, or something more recent that fits the flow. Easier to handle in F2F talking; distracting in online chat.
3. Side box of participants - did not update on people adding or leaving after the first 8minutes of the chat.
4. If you hit refresh in your net browser, you were bumped out of the forum and had to re-enter.
5. Length of entry for questions was limited to about 3 lines. Good to be sure people are brief; but without advance notice it made editing a question or comment difficult.
6. Seemed that "private messages" - where someone wanted to say something to one participant only - were posted for all to see.

#### SUGGESTIONS

1. Create two boxes to capture the chat. One is for the moderator and presenter [Colin/Michael] to have more of a dialogue. A second box would capture the comments/questions from the other participants. Allow viewers to scroll

back/forward through the WHOLE of each box. Allows people to catch up, to build on questions/comments of one another.

2. Allow presenter to post small sections of the bigger PDF document, as appropriate, to emphasize points or to be able to respond to a comment/question in detail.

Your Firehose of Feedback Specialist,  
John

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 05:11 PM



## Tim Hicks

Registered: May 2003

Location:

Posts: 3

### chat room feedback

I just signed off the chat room with Colin and Mike. It was my first chat room experience so my comments must be heard with that understanding...but I feel like I'm in an Emperor's New Clothes kind of experience. I found the "conversation" entirely unsatisfactory and unproductive. This is not at all a comment on Colin's or Mike's participation. It's a comment on the format for communication. When I try to assess the net value of the hour spent, I come up with very little. It seems to me the methodology is so limited and ill-structured that it is able to prevent a bunch of intelligent, experienced, and engaged people from having anything more than an attenuated, disjointed, and superficial interaction.

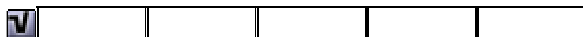
Perhaps there are some other ways we could structure the event to make it more useful. Questions submitted prior to the chat room time? Then taking one question at a time and working through it? Allowing more characters per submission? Cycling through the participant list one at a time for comments with the option to explicitly pass?

Anyone else feeling the Emperor to be naked?

Tim Hicks

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 05:27 PM



## Colin Rule

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

### Re: chat room feedback

quote:

---

*Originally posted by Tim Hicks*

### **Anyone else feeling the Emperor to be naked?**

#### **Tim Hicks**

---

Tim--

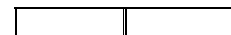
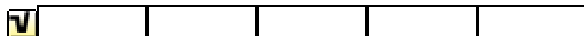
All of your points resonate with me. I am not a big fan of synchronous communications by text, for just these reasons. I think there are some pluses, but they are usually outweighed by the negatives. People who type faster have a huge advantage, it's difficult to maintain a coherent thread of dialogue, and there's an incentive for people to be short and snappy instead of well considered and thought out.

I do think that part of it is what you're used to -- text chat can be a very convenient way to exchange pithy notes back and forth. I'm online all day with people instant messaging, and if we need a more in depth interaction we either audiochat or videochat over the 'net or get on the phone. My sister-in-law is in high school, and she can easily text chat with more than 10 of her friends at a time, while she's (sort of ) doing her homework.

But this format with Mike today was inferior to the format with Gail. I thought Gail had an opportunity to really go into her case in some depth, while Mike was scrambling just to respond to each question with a single sentence. My two cents.

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 05:36 PM



## Colin Rule

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

**Re: Round Two - June 10 Online Chat Forum**

quote:

---

*Originally posted by John Stephens*

### **NEGATIVES**

**Biggest negative - wait time between messages. Easy for mind to wander, found myself much more distracted in comparison to the telephone forum of June 3.**

- 1. Could not scroll up to earlier messages; could only see about 4 minutes of time in one view. Annoying.**
  - 2. Interruptions of discussion with new questions. Posed problem of what to answer first - and old question, or something more recent that fits the flow. Easier to handle in F2F talking; distracting in online chat.**
  - 3. Side box of participants - did not update on people adding or leaving after the first 8minutes of the chat.**
  - 4. If you hit refresh in your net browser, you were bumped out of the forum and had to re-enter.**
  - 5. Length of entry for questions was limited to about 3 lines. Good to be sure people are brief; but without advance notice it made editing a question or comment difficult.**
  - 6. Seemed that "private messages" - where someone wanted to say something to one participant only - were posted for all to see.**
- 

John--

Some of these negatives were settings on the server that can be changed -- anyone could type "/show 1000" and get all the messages that had been posted back to the beginning. I should have informed people about that. The length of submissions could also be increased -- I didn't realize how much of an obstacle it would be. I think the private messages were working -- the ones you saw were the ones that people mistyped.

Other problems -- like the list of participants "filling up" (I don't think it went above 23, though more people logged in) and the questions interrupting the flow are more systemic.

quote:

---

### **SUGGESTIONS**

- 1. Create two boxes to capture the chat. One is for the moderator and presenter [Colin/Michael] to have more of a dialogue. A second box would capture the comments/questions from the other participants. Allow viewers to scroll back/forward through the WHOLE of each box.**

**Allows people to catch up, to build on questions/comments of one another.**

**2. Allow presenter to post small sections of the bigger PDF document, as appropriate, to emphasize points or to be able to respond to a comment/question in detail.**

---

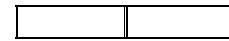
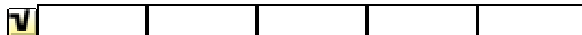
These suggestions are great -- there are some platforms that implement these recommendations, such as unchat (<http://www.unchat.com>), but this is the primary chat tool in use out there currently. The tool I built for Gail's presentation might be a good start for the tool you describe, too -- we put something together like that for Gail to use in her presentation and decided not to use it for fear it might be too complicated.

Ideally I would have loved to have had a presentation with chunks of the PDF Mike could leaf through with everyone watching -- maybe even photos of the rivers. There are some great tools for doing that kind of thing, though there are often tech issues associated with it (incompatibilities, etc.)

Keep the feedback coming! You guys don't know how useful this is for my portion of this online dialogue. If you hated it, let me know! I have no personal investment.

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 05:44 PM



## John Tatum

Registered: May 2003  
Location: Bloomfield Hills, Michigan  
Posts: 1

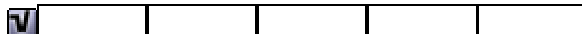
### **Low Bandwidth Communication**

This use of chat is extreme low bandwidth communication. In contrast to the many things we try to do in facilitation and mediation which increase the bandwidth; active listening, sensitivity to all sorts of non-verbal and partially verbal communication and the like. It seems a poor format ofr discussion of complex questions.

On the other hand, the chat-like facility for questions and the organization of questions by the facilitator in Gail's talk seemed most useful. And it's useful, although distracting, for back-channel in smaller group meetings.

[Report this post to a moderator](#) | IP: [Logged](#)

06-11-2003 01:41 PM



--	--

## Scott McCreary

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35

### Feedback is Most Appreciated!

Though I missed Mike's chat [I was actually mediating a case at the time], I want to express great thanks to Mike and Colin for their efforts

As well, I really appreciate the thoughtful and detailed feedback on the nature of the participants' experience.

As Colin noted so well, one track of this initiative is very much to see how we can make technology work for us. In this respect, the comments that talk both about technology and how it interfaces with the information we are trying to absorb and process is of particular value.

One of the most prominent lines of questioning for us at the EPP meeting in DC was "so, what was it like".

We will soon be posting a poll on your experiences on both of the synchronous events. We will welcome your feedback there, or in this thread.

Thanks again

Scott

[Report this post to a moderator](#) | IP: [Logged](#)

06-12-2003 08:15 PM

					
---	--	--	--	--	--

--	--

## Colin Rule

Administrator



Registered: Feb 2003  
Location: Cambridge, MA

Posts: 38

**new survey posted**

and along those lines that Scott mentioned, we've just posted a new survey to gather feedback from everyone on their experiences with the synchronous events.

Please jump over to:

<http://www.adrforums.com/survb.htm>

And again, don't mince words! We want your honest reactions.

[Report this post to a moderator](#) | IP: [Logged](#)

06-13-2003 01:59 PM

					
---	--	--	--	--	--

--	--

**Colin Rule**

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

**textual vs. verbal communication**


Dan raised an excellent point in the conversation on question two -- that some people are more at ease and eloquent in written communication, but that he prefers verbal / face-to-face conversation because it allows for more of a relationship to be established.

I'm interested in the experiences of the participants -- have you had notably good or notably bad experiences with online / textual communications? In what context do you find them useful, and in what contexts should they be avoided?

As with anything, I think new communications options have plusses and minuses. In my experience, if a face-to-face conversation is possible it's usually preferable. But there's no way we could have convened a face-to-face conference with participants of this quality where people would have enough time to delve into these issues in such depth.

[Report this post to a moderator](#) | IP: [Logged](#)

06-09-2003 04:50 PM

					
---	--	--	--	--	--

--	--



**John Helie**



Registered: Feb 2003  
Location: Berkeley California  
Posts: 8

**Personal differences**

Hello All,

I will bet that most of us in this field are face to face type people, and given an opportunity to meet FTF; that would be our preference. But we are not a good cross section.

Many people are intimidated by meetings and tend to avoid speaking up. There are so many factors which impact meetings. Physical appearance, quality and style of apparel, ability to think on our feet.... I have worked in Virtuyal teams for hte best part of the last 15 years and I have known people who rarely speak up in meetings, yet when they get online they have much value to add.

Providing online options is actually inclusive of some personality types.

John

\_\_\_\_\_  
John R. Helie

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 03:45 PM

--	--	--	--	--

--	--

**Tim Hicks**

Registered: May 2003  
Location:  
Posts: 3

My comments about the chat room format don't apply, for me, to all text communication. Instant messaging or regular email work wonderfully and I carry

on regular and often extended and lengthy conversations via email. I'm a fast typer so that wasn't a barrier in the chat room format. But the chat room structure includes additional characteristics that make it cumbersome and disjointed. It may work for a group of 10 teenage friends chatting while doing home work, but I haven't seen it working for conducting a productive discussion in a professional context.

[Report this post to a moderator](#) | IP: [Logged](#)

06-10-2003 06:11 PM

<input checked="" type="checkbox"/>					
-------------------------------------	--	--	--	--	--

--	--

### Colin Rule

Administrator



Registered: Feb 2003  
Location: Cambridge, MA  
Posts: 38

### Round One Messages

quote:

*Originally posted by Elaine Hallmark*

**I have tried to access the previous postings from Round 1 from the home page and was also unable to get them. Any suggestions?**

Elaine--

All of the messages from Round One are available [here](#). The Round One Archived Messages forum is at the bottom of the list of forums for Round Two.

We posted a file that has a compendium of all the postings:

<http://www.adrforums.com/compendium.htm>

...but it's a very big file and sometimes that results in difficulty downloading it. I suggest browsing the archives from Round One in the Archive forum [here](#), as it's just more convenient. Let me know if you need any more help getting to it.

Colin

[Report this post to a moderator](#) | IP: [Logged](#)

<input checked="" type="checkbox"/>					
-------------------------------------	--	--	--	--	--

--	--

06-03-2003 11:01 AM

Recommended Resources

## Colin Rule

Administrator



Registered: Feb 2003

Location: Cambridge, MA

Posts: 38

### Recommended Resources Overview

One of the principal goals of the Conflict/Situation Assessments Online Working Group Project is to advance the field of ECR practice related to assessments. We are hoping to identify and make available basic reference materials on conflict assessments for all participants in the on-line dialogue; these materials would also be a continuing reference for practitioners who are interested in learning about conflict assessment. As we develop this set of materials, we will make them available to participants through this site, and through links to other appropriate sites.

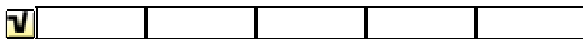
Some of the key elements of a "Recommended Resources" list would include:

- Basic definitions, terms, nomenclature
- Background readings on conflict assessments - tools, concepts, issues, theory
- Exemplary (and diverse) examples of conflict assessments
- Appropriate training materials or training resources
- Links to relevant websites or other electronic resources on assessment
- Resource materials related to best practice guidelines

We've created this thread in the discussion forum to encourage you to suggest appropriate materials for each of these categories, and we hope to gather suggestions from all the participants throughout both Rounds of the conversation. As the online dialogue concludes, the Facilitation Team will work to compile and synthesize your suggestions, and to integrate them into our final report to be presented in Orlando in October.

[Report this post to a moderator](#) | IP: [Logged](#)

06-01-2003 09:30 PM



## John Stephens

Registered: May 2003

Location:

Posts: 7

 **A divided town council example**


Only in the interest of sharing potential resources, I am uploading a more informal assessment I did when asked to see if mediation was appropriate for a conflict among members of a small town council in North Carolina.

I am not offended if it is removed, or set aside, given the larger nature of this thread. I do not hold it out as exemplary.

JB Stephens

Attachment: [cal-ases.doc](#)  
This has been downloaded 16 time(s).

[Report this post to a moderator](#) | IP: [Logged](#)

 06-03-2003 02:09 PM

					
---	--	--	--	--	--

--	--

**Bill Potapchuk**

Registered: May 2003  
Location:  
Posts: 2


**Getting to the Table**


Jim, John and I wrote this guidebook about assessment and getting to the table many moons ago . . . I wish it were on the web . . .

Bill Potapchuk

Potapchuk, W.R., Laue, J.H., and Murray, J.S., "Getting to the Table: A Guide for Senior Managers". Fort Belvoir, VA: Institute for Water Resources, U.S. Army Corps of Engineers, 1990.

[Report this post to a moderator](#) | IP: [Logged](#)

 06-04-2003 02:55 PM

					
---	--	--	--	--	--

--	--

Open Space

## Scott McCreary

Registered: Feb 2003  
Location: Berkeley, CA  
Posts: 35


### Question from Catherine McCracken on Environmental Justice

Catherine McCracken of the Center for Collaborative Policy has been following the Dialogue as an observer, but would like to get feedback from participants to a question she posed during the interview with Gerald Cormick. She asked:

"I am interested in hearing your insights regarding identifying and addressing environmental justice (EJ) issues and communities in complex environmental/public policy collaboratives. What is the responsibility of the mediator during an assessment process with regard to EJ issues (i.e., even if a convener or sponsoring agency hasn't/isn't considering EJ issues/communities?"

If you are an observer, you can reply to her directly at:  
[cmccrackensf@aol.com](mailto:cmccrackensf@aol.com)

[Report this post to a moderator](#) | IP: [Logged](#)

 06-19-2003 01:43 PM

 [profile](#)  [pm](#)  [www](#)  [search](#)  [buddy](#)

 [edit](#)  [quote](#)