

# **Communication skills and techniques for effective resolution of family dispute**

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NJA October 2018

- Employ a firm response to early interruptions
- Do not lapse into cross examination
- Paraphrase frequently
- Build rapport
- Change strong language
- Capture the intention without the language
- summarize

**communication**

- Be aware of non-verbal communication
- Use a non-confrontational tone of voice
- Allow parties to vent emotions

- Joint problem list
- Focus on interests not on positions
- Expand options

- Issues are topics or problems that a party would like to discuss during mediation
- Interests are general or specific needs that a party wants to have satisfied the reason behind the position
- Positions are the options or settlement offers maintained by the party; i.e. what they are willing to do.

## **Issues, interests and positions in litigations**

Active listening is;

Listening to hear and not listening to answer

Understanding the meaning behind the words

Hearing the emotional content of the communications

Using skilled feedback to let the parties know that their message has been received

**Communication skills- listening**

- Paraphrasing, to combine facts and feelings
- Summarizing, to tie together elements of messages, identify common themes and interrupt wandering and rambling
- Validation, to acknowledge, accept and validate feelings eg accepting feelings of humiliation of a person who has been victimized by sexual harassment

- ASK YOURSELF, how would I react to the question?
- DIRECT QUESTIONS

require a specific answer, focus on a particular point in the discussion, gives the other person a clear idea of what you want to know, help eliminate misunderstandings, guide discussion to a particular problem

- BUT DIRECT QUESTIONS MAY  
Be seen as threatening, arouse  
defensiveness result in getting less  
information

## OPEN ENDED QUESTIONS

Asks for an opinion, an explanation of  
events or procedures, or the reasoning  
behind a decision

- Allows a wide range of answers
- Can require several sentences or longer explanations
- USING OPEN ENDED QUESTIONS helps you to be perceived as;
- A more objective thinker, fair and open minded Inclined to listen to all points of view and as one who does not evaluate prematurely