



# **Advanced Mediation Training**

## **Course preparation manual**



**PEACEMAKER<sup>®</sup>**  

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**MINISTRIES**

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# ADVANCED MEDIATION TRAINING COURSE PREPARATION MANUAL

## INTRODUCTION

We want to welcome you to the Advanced Mediation Training. This three-day course is designed to help you develop an understanding of the biblical foundation and purpose of biblical peacemaking, within the context of the local church. It will incorporate your previous training in peacemaking, conflict coaching, and mediation into a more complete understanding of a biblically faithful mediation process.

This course will equip you to administer requests for conciliation in a manner, which is biblically consistent and provides a positive alternative to other methods and patterns within the world for resolving or avoiding conflicts. It will also equip you with a more advanced understanding of mediation from a biblical perspective, including learning how to address some of the more complex issues that can arise in a mediation context.

As mediation may sometimes precede a process of Christian adjudication if not all substantive issues are fully resolved through mediation (1 Corinthians 6: 1-6), some time is also devoted to the relationship between mediation and adjudication in this training.

## COURSE OVERVIEW

This training is intensive and designed to simulate the type of demands placed upon you during mediation. It requires significant preparation, and attendance and participation in all sections of the training. Plan to attend all sections. Do NOT plan to leave early. Failure to complete all sections will result in credit not being given for the training.

In addition, this *Course Preparation Manual* will explain the purpose for doing advance preparation, give you the specific assignments for your preparation, and provide you with the case study on which your homework is based. This manual also includes case study materials you will need for the case studies used during the training and the major role play on days two and three.

*Carefully reading the role play fact information of this preparatory manual is essential preparation for this training. Role playing is a key tool for learning peacemaking skills. Your understanding of the role play facts is vital to the effectiveness of that tool.*

## PRE-TRAINING PREPARATION

This training is the Advanced Mediation Training required for participation in Peacemaker Ministries' Certification Program. PeaceWise currently uses Peacemaker's Certification Program as the basis for formally recognising its mediators as well. Note that in order to be recognised as a Certified Christian Mediator, you must complete all elements of the Certification Program – these will be explained in detail during your training.

This training presumes that you have completed Conflict Coaching and Mediation Training, have completed all pre-course reading and the self-study materials related to the Conflict Coaching and Mediation.

This training event will not spend significant time reviewing the principles and skills addressed in Conflict Coaching and Mediation, other than to expand upon some of the principles and skills. Therefore, it is important that you take time to review your Conflict Coaching and Mediation Training materials, and specifically review *The Peacemaker* and the *Mediation Manual* (the coloured book by Ken Sande and Rick Friesen that you will have received previously if you've done Mediation Training in a prior year, or which you will receive on 6 August at the Mediation Training if you do that training immediately before the Advanced Mediation Training).

It is also important that you complete the Preparatory Assignment detailed below. This work is a key component in your learning as well as the interaction and learning that will occur between participants.

## COURSE OBJECTIVES

We have identified seven specific objectives for this course:

1. Provide the participant with a well-grounded understanding of the biblical basis for providing biblical conciliation.
2. Provide a well-grounded understanding of the biblical basis for providing biblical conciliation within the context of the local church.
3. Equip and prepare the participant to:
  - a. provide a safe process for the resolving of disputes through mediation
  - b. teach biblical peacemaking
  - c. encourage and lead other members of a church leadership to build a culture of peace by making conciliation services available within the church.
4. Create an understanding of how to provide conciliation in the context of supporting or supplementing the local church's responsibility of providing conflict resolution services to its members and community.
5. Provide the knowledge of and ability to administer a case and apply rules of procedure which govern mediations.
6. Improve the skills and abilities of the participant as a mediator.
7. Prepare the participant to apply for and proceed with the process and requirements of becoming a Certified Christian Conciliator™ under the Certification Program of Peacemaker Ministries.

*The wisdom  
of the  
prudent is to  
give thought  
to their  
ways, but  
the folly of  
fools is  
deception.  
Proverbs  
14:8*

## PURPOSE OF PREPARATORY ASSIGNMENTS

Christian conciliation, like any activity that requires planning or thinking about our steps and actions in advance, is hard work. It requires preparation. As with most activities in life, we face the choice of preparing for the activity, or spending more time during the task or activity to catch up and maximise our time and effort. It will not be a question of whether we spend the time, but one of where and how we spend the time. This training will be most helpful and beneficial if you prepare well for the course. Your preparation is also important for your interaction with the other participants and instructors. As the writer of Proverbs so wisely noted, it is good to give thought to your ways, and to plan your steps.

This *Course Preparation Manual* is designed to provide you with a review of some basic principles and issues in advance of the training and help you consider some of the issues, which will be addressed in the training. You will get the most from this training if you will take the time to review these materials and prepare in advance for the training exercises.

## ASSIGNMENTS

You will have five separate assignments or exercises to do before the training commences. These will be explained in more detail below. The assignments are as follows:

1. Review *The Peacemaker*, the *Mediation Manual* (if you have one from prior Mediation training), and review your *Conflict Coaching* and *Mediation Participant Guides*
2. Complete the Assignment on page 8.
3. Review the information about the role play exercises (see page 11), the rules of role plays (Page 12), the tips for preparing for role plays (page 16) and be fully familiar with the facts for the various case studies that will be used during the training.

*Assignments  
need to be  
completed  
prior to  
training.*

# HOMEWORK ASSIGNMENT

This assignment is designed to help you begin to consider your role and purpose as a peacemaker, personally, as well as part of your church. This assignment will not be discussed in the training, but is important for your preparation.

## Is Peacemaking a habit of being for you? What is the Peacemaking character of God and His people?

### A HABIT OF BEING<sup>1</sup>

*Peacemaking  
is very  
practical.*

As many of you recognise, peacemaking is a very practical subject to teach and to practice. We face conflicts in our lives and our ministries on a regular basis, and peacemaking provides a tool for us to resolve these conflicts constructively.

However, if we only see peacemaking as a tool for fixing problems, we miss two important concerns in God's call for us to be peacemakers. . . . [O]ur role as peacemakers is deeply rooted in what the Bible says about God and, second, that God calls us to reflect his character as a peacemaker in everything that we do; peacemaking is not just a tool but a way of life--a "habit of being"--for God's people.

*Conflict  
dates back  
to Genesis  
chapter 3*

Peacemaking is part of the very nature of God and of how he works in this world. Beginning in Genesis 3, conflict and reconciliation comprise the dramatic plotline of Scripture. This drama culminates in the death and resurrection of Christ, whose work accomplished the reconciliation of all things to himself (see Col. 1:19-20).

Exodus 32-34 gives a "snapshot" of how God works as a peacemaker in human history. In this passage, Moses mediates for the people of Israel, whose idolatry has deeply offended God. They are in danger of losing the security of God's presence or of being consumed by his wrath, but Moses eventually receives assurance that God will continue to dwell graciously with his people.

In Exodus 33:18, Moses also asks of God, "Now show me your glory," so that he will know how God wants him to lead the "stiff-necked" Israelites. The Lord's response to Moses is so significant for Israel's relationship with God that it is repeated throughout Scripture (see, for example, Neh. 9:17; Ps. 86:15; Joel 2:13). God tells Moses that he is "The LORD, the LORD, the compassionate and gracious God, slow to anger, abounding in love and faithfulness, maintaining love to thousands, and forgiving wickedness, rebellion and sin" (Ex. 34:6-7a).

Although God could have revealed any of his attributes to Moses--his justice, his immutability, his power--he chose to emphasize his mercy. God shows Moses that his glory is the glory of a reconciling God.

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<sup>1</sup> Adapted from *A HABIT OF BEING: THE PEACEMAKING CHARACTER OF GOD AND HIS PEOPLE*. by Molly Routson, Assistant to the Director of International Ministries, Peacemaker Ministries



The Gospel of John picks up on these Exodus themes of God's glory, his grace, and his presence among his people. They are climactically demonstrated in Christ, who "made his dwelling among us ... [and] came from the Father, full of grace and truth" (John 1:14). In Jesus' life, death, and resurrection, God ultimately reveals himself as a peacemaking God. Furthermore, Christ tells his followers that we will be recognised as God's children when we imitate God's character in reconciliation (Matt. 5:9; John 13:35; 17:23).

Throughout Scripture, God calls his people to be peacemakers in their very being, and not to regard peacemaking as just a tool for occasional use. This way of understanding Scripture has important implications for peacemaking around the world.

*How will  
others know  
we are God's  
children?*

. . . [T]he essential identity of the Christian--whatever the capacity in which he or she is serving--is "ambassador of reconciliation" (2 Cor. 5:18-20). God calls us to be his ambassadors of peace wherever he has placed us, including our work, our families and our communities. . . . [P]astors, teachers, Christian lawyers, businessmen, and other professionals are peacemakers, with an important role in God's work of reconciliation.

Wherever you are and however you serve God, we encourage you to begin reading your Bible with an eye for God's peacemaking character and to imitate his character as the divine Peacemaker. Remember, peacemaking is not simply a tool for fixing problems, but it is a "habit of being," a way of reflecting who we are in Christ in all of our relationships.

*"Therefore, I urge you, brothers, in view of God's mercy, to offer your bodies as living sacrifices, holy and pleasing to God--this is your spiritual act of worship. Do not conform any longer to the pattern of this world, but be transformed by the renewing of your mind.*

*Then you will be able to test and approve what God's will is--his good, pleasing and perfect will. Romans 12:1-2*

In preparation for this training, please take the following steps:

1. Read Romans 11:36-12:21 with a view to how these verses apply to you personally as a Christian conciliator. Have a pen and note pad handy to record any thoughts.
2. Go back and read verses 11:33-36. What do these verses tell us about who God is and what He has done for us?
3. Read verses 1-21 reflectively. Ask yourself the following questions:
  - a. In what ways does conciliation reflect offering my body in true, spiritual worship of the living God (v1)?
  - b. In what ways does conciliation require transformation of my mind (v2)?
  - c. What problems does pride of mind (thinking more highly of yourself than you ought) present to my living out peacemaking as part of the communal and ethical Christian relations described in Romans 12:4-21?
  - d. What spiritual and material resources does God provide for me to live out Romans 12:1-21 in my practice of personal and assisted conciliation? (Hint: read Romans 1:16-17, and chapters 6-8, focusing on Christ, the gospel and Spirit; reflect particularly on the battle with sin in chapters 7 and 8 in light of God's gift of Christ and the Spirit in the gospel in 1:16-17 and 3:23-8:29).

*What problems  
does pride of  
mind pose?*

## **ROLE PLAY FACTS: ABOUT THE ROLE PLAY EXERCISES**

Basic information for each of the role play exercises is provided in this *Course Preparation Manual*, so that you may become familiar with the cases before the training. It is not necessary to memorise the facts, but your thorough review of the case materials will give you a solid foundation on which to build, when you receive at the training your role assignments as mediator or party in each case.

On the first day of the training, we may refer to the facts of the Brown/O'Connor demonstration case to illustrate various teaching points. At the end of Day 1, we will review the role play facts and explain in detail how to prepare for the roles you will be playing on Day 2 and Day 3 of the training. You will be playing a party in one major role play case and a mediator in the other major role play case.

During the morning on Day 2, you will participate in two data gathering exercises involving the major role play cases (Wilson/Clark and Mitchell/Mitchell). In one exercise, you will play a party being interviewed by the mediator. In the other exercise, you will play the mediator interviewing the party. Your role will be assigned at the end of the first day, so that you may prepare for this exercise on the evening of Day 1. You and your co-mediator may wish to meet over lunch to review together the information collected during the data gathering exercise, so that you may plan for the pre-mediation conflict coaching sessions you will have with your major role play parties on the afternoon of Day 2.

Also on Day 2, you will participate in a private meeting exercise involving the Brown/O'Connor demonstration case. You will be given a description of a heated interchange that occurs between the parties at the mediation table. Then you and the other participants at your table will be asked to plan a private meeting and then role play the private meeting you have planned.

On Day 3, the Wilson/Clark mediation role play will begin in the morning. Two hours are allotted for the mediation, followed by time for discussion and evaluations. You will have had an opportunity for pre-mediation coaching with your parties on the afternoon of Day 2. Please mediate in real time, making appropriate choices based on your parties' words, actions, and responses.

Lunch on Day 3 is a working lunch. During lunch on Day 3, each table will debrief the Wilson/Clark case with the table instructor, and then the entire class will assemble to debrief the case. Following the group debrief, while the afternoon mediators complete their final preparations for the Mitchell/Mitchell case, the morning mediators will have an opportunity for a 10-minute individual meeting with the table instructor for feedback.

Following the exercise, each table will debrief the Wilson/Clark case with the table instructor, and then the entire class will assemble to debrief the case. At the end of Day 3, any participant who did not meet with the table instructor during lunch will have an opportunity for a 10-minute individual meeting with the table instructor for feedback.

## **GENERAL NOTES**

- There are two different cases: The Business case (Wilson/Clark) and the Marriage case.
- You will play a coach/mediator in one case and a party in the other case.
- Please stay in role during the entire exercise.
- If you wish to complete this course for credit equivalent to having completed Peacemaker Ministries' Certification Training, you will need to complete a further assignment allocated by Peacemaker Ministries relating to christian adjudication of a disputed issue.

The learning experience will be greatly improved if you will invest time in preparing to serve well as a party. This means thinking through your party's history, circumstances, desires, and experiences. You may draw on your own experiences, those you have observed in other people, or make up additional facts, but it is easier to respond realistically to the mediator's questions if you have a character and a story in mind.

## **RULES FOR THE ROLE PLAYS**

Our experience has shown that actual case histories provide a more realistic experience for training than hypothetical situations. Thus, classroom role play exercises are drawn from actual cases.

As you read the Case Studies prior to this course, you had the opportunity to review the preliminary case study information. As you actually work through parts of a mediation case during the training event, consider what preparation worked well for you and what you would do differently in order to improve your preparation on future cases.

Please note carefully these requirements for the case studies and role plays.

## **CONFIDENTIALITY**

Although the training cases are based on actual cases that Peacemaker Ministries has administered, the names and other identifying details have been changed to protect the confidentiality of the parties. Often, the details from several cases have been combined and many details are omitted.

Any names or places in these case studies that resemble the names of actual individuals or places are coincidental. Please do not associate these case histories with people or organisations that you personally know.

It is possible that people who have some knowledge of the original cases may recognise the similar fact pattern and confuse the original facts with the changed facts for the role plays. To further guard the integrity of the Christian conciliation process, please do not discuss the details of the training cases (such as contracts, letters, etc.) or use the information from these role plays outside of the course.

## **ADDITIONAL RULES FOR THE ROLE PLAYS**

- Please listen carefully and follow all instructions.
- Do not disclose any secret facts to your role play partner(s), except as appropriate to the role play.
- Do “get into” the role you are assigned and stay in role during the entire designated time.
- It is appropriate to embellish your role to add motivation, surrounding circumstances, reasons, values, opinions, etc.
- Make up any facts necessary to enhance your role or position, but avoid killer facts (i.e., facts that shut down the role play).
- Parties – provide gentle resistance at first, but then cooperate with your mediators *unless* the mediators ask you to do otherwise.
- When your role play is finished, please do not disclose to others your fact pattern or results until instructed otherwise.
- Do not discuss “how you did” with other workshop participants until instructed to do so by the instructors.
- Focus on *process*: Remember, the facts in these role plays are unique and will differ from the actual fact patterns you may mediate on your own after you leave the training.
- Make this a positive experience for everyone involved – and encourage one another.

## **THE TWO-MINUTE FEEDBACK**

*“Do not let any unwholesome talk come out of your mouths, but only what is helpful for building others up according to their needs, that it may benefit those who listen.”  
Ephesians 4:29*

The two-minute feedback should be specific but brief. The entire process should take place in less than two minutes. Its purpose is not to evaluate the whole process or each part of the process, but it is to identify a couple of major strengths and weaknesses in the presentation.

Through this feedback, the mediators will recognise their own strengths in order to build on them. In addition, the mediators will identify one or two weaknesses that they can work to overcome.

The Two-Minute Feedback is excellent training in itself for mediators. Mediators must be able to recognise their own strengths and limitations and be open to constructive criticism from others. Mediators who are planning to counsel others should first be able to counsel themselves and receive instruction from others.

For the parties in the role plays, the two-minute feedback is a great exercise as well, since the parties become counselors to the mediators as they encourage each other through praise and constructive criticism.

## **THE MEDIATORS**

*“Listen to advice and accept instruction, and in the end you will be wise” (Proverbs 19:20).*

For each exercise, the mediator answers two questions:

1. What two or three things did I do well?
2. In what one area could I improve?

## **THE PARTIES**

For each exercise, the role playing parties give feedback to the mediators by answering two questions:

The best thing I thought you did was ...

One suggestion I have for you is ...

## **HOW TO PREPARE FOR THE ROLE PLAY EXERCISES**

Some people love role play exercises, and some people hate role play exercises. Through the years, however, Peacemaker Ministries has consistently received feedback that the role play exercises were considered some of the most valuable portions of participants' training experiences. For this reason, we adapt actual case situations to create role play exercises that produce a setting conducive to skill-honoring realism. We want you and your fellow participants to serve one another well, as iron sharpens iron.

To maximise the benefit from a role play exercise, it is just as important to prepare for playing the role of a party as it is to prepare for playing the role of a conflict coach or mediator. The more you immerse yourself in the role, the more you will learn about what to do (and what not to do) from the party's perspective.

One approach is to play the party as yourself, if you happened to be in the situation described in the exercise. Some find this easier, since drawing upon one's own history, experiences, and memories allow greater spontaneity in responding during the exercise and requires less memorization of new facts and information. Others enjoy the challenge of creating a character out of whole cloth, or simply prefer to limit disclosure of personal history, experience and memories by playing the party based on a persona different from themselves. You may use whichever approach is more comfortable for you.

In either case, the following worksheet is offered as a planning guide for your preparation as a party (you won't use this yet, but only once you know your role during the training).

# ROLE PLAY PREPARATION WORKSHEET

Role play Case (Circle One):

Role play Party (Circle One):

Business

Chris

Pat

Marriage

Kylie

Will

In addition to information provided in the case notes and in my secret facts, I will assume the following facts about:

My History:

My Experiences:

My Circumstances:

My Desires:



## DEMONSTRATION CASE STUDY

*Robert Brown and Kate and John O'Connor*

Robert, Kate, and John are members of your church. Kate and John are married. Robert is Kate's uncle. They have been referred to you, as one of the mediators for the Church's Reconciliation Ministry by the elders of your church. Robert had previously attempted to address the dispute privately. When Kate and John refused, he then brought it to the elders, who have urged Kate and John to participate in Christian conciliation, which they have reluctantly agreed to do. The dispute has become a topic of discussion among other members in the church.

Robert has been a successful businessman in the community with a real estate company, primarily focused on residential real estate. Five years ago, after Robert mentored Kate through obtaining her real estate salesperson's licence, Robert invited Kate to join him in the business. Four years ago, Robert and Kate agreed to hire John (Kate's husband) to be the office manager. While this position included the day-to-day handling of the business operating funds, Robert still took proper care of handling all of the firm's trust account deposits and disbursements of client funds.

*In 3 years,  
\$75,000  
had been  
taken from  
the  
business.*

Last year Robert discovered that John had been taking funds from the business operating account for the past three years, totaling \$75,000. When Robert discovered this, he approached Kate, but decided to not press criminal charges because they were fellow Christians and his relatives. Subsequent to this discussion, Kate agreed to obtain her real estate broker's licence and to buy 50% of Robert's business over time to allow him to begin to retire. After a year under this arrangement and commitment, Kate suddenly resigned her position with Robert's business and opened her own real estate company down the street.

Kate and John have been married for 15 years. John did not have experience running a real estate office, but agreed to take the position to help out Robert and Kate. Kate believes that the "loss" of the money was due to John being asked to do things he was not qualified to do, resulting in mistakes, which neither she or Robert discovered until about a year ago. Kate believes that her agreement to buy 50% of the business was unrelated to the "loss" of money, and was contingent upon the business continuing to grow.

When the business started to struggle over the past year, without Robert setting forth a clear plan for how they would rectify the business slump, Kate decided she needed to open her own business. Robert believes the reason the business was doing poorly is because of the loss of money through John's actions. Kate believes that Robert did not raise allegations of embezzlement until after she decided to open her own office.

Both Robert and Kate claim that the other has made statements to other people in their church, which have been slanderous.

Robert is claiming that John embezzled money from the business and that Kate knew about his actions. Robert wants them to pay back 4 times the amount of money taken, along with the costs of the mediation.

*Kate finds herself between defending John and being upset that he placed her in this position*

Kate wants to defend her husband and not appear to be opposed to him in this process, but is also upset with John for having placed them in this position. While she wants to defend John in front of Robert, Kate and John are experiencing their own marital conflict as a result of this matter, with John becoming less and less inclined to continue with the process.

The conflict between Robert and Kate has also resulted in disputes within Robert and Kate's extended family, with Kate's father (Robert's older brother) taking her side and accusing Robert of being vengeful. The extended family has become fractured over this conflict, which greatly grieves Robert, but is not an issue for Kate or John.

## **MAJOR ROLE PLAY #1 – BUSINESS CASE**

*Chris Wilson and Pat Clark*

Chris Wilson began his company (then known as Wilson CopyWorks) in 1987. Chris was the sole proprietor owning 100% of the company. In 1996, Chris established Digital Imaging Services, Pty Ltd (DIS). In 2002 Chris sold all the goodwill and customer accounts of Wilson CopyWorks to Digital Imaging Services, Pty Ltd, in exchange for a 10 year promissory note in the amount of \$189,251 payable in 10 equal, yearly payments plus accrued interest. Chris left all the equipment and other tangible assets of Wilson CopyWorks in the corporation. DIS leases all the equipment it uses in its Archival Services Division and all the equipment it leases out to customers through its Equipment Leasing Division from Wilson CopyWorks.

In 1993, Pat Clark (sibling to Chris' spouse) moved to Happy Shores, the home of Chris and his companies. Chris invited Pat to live with Chris and Ashley until Pat could get established, and hired Pat on as an employee of Wilson CopyWorks.

At the same time of the sale in 2002, Chris sold 20% of Chris' ownership interest in DIS to Pat and other employees. Chris now owns an 80% interest in DIS. Pat owns a 10% interest in DIS and five other employees of DIS each own a 2% interest in the DIS. Each of the 7 members has an equal vote in managing DIS on any management issues not delegated to a divisional manager or to the general manager. Chris' reasons for establishing DIS were to plan for Chris' retirement, to have a succession plan, and to motivate employees to stay at the company by offering them an ownership interest. Each member is paid a negotiated salary based upon the member's position and responsibilities. Chris currently receives a salary of \$100,000, Pat receives \$60,000, and the remaining 5 employees average approximately \$30,000 each. Each member, however, shares in any remaining profits in proportion to the member's ownership interest.

In 1997 Pat married Jean, and they live in their own home. Pat manages the Archival Services Division of DIS. Chris manages the Equipment Leasing Division of DIS.

In 2003, DIS hired a general manager. Although Chris and Pat have different opinions about the effectiveness of the general manager, they agree that the general manager's leadership style caused additional conflict and divided loyalties among employees and owners. Last year the members of DIS decided that Chris and the general manager could not work effectively together, and the general manager resigned.

Since the departure of the general manager, Chris has been, in Chris' own words, "gently taking back the reins." Chris wants to be elected by the owners as the general manager with authority to make all management decisions, without approval by the minority owners. Pat strongly opposes Chris' election as general manager.

Chris maintains that 3 of the other 5 owners are willing to sell their voting rights under their interests to Chris for an undisclosed sum. Since the corporate documents are silent on the issue of whether Chris can or cannot buy such rights, and silent on whether the other owners have any right of approval of such a transaction, Chris intends to proceed without unanimous consent and then vote the 3 interests with Chris' own interest to amend the Operating Agreement to transfer management to a manager and then cast those same four votes to be voted in as the manager.

Chris claims that the relevant provisions of the corporate documents only speak to the sale of a full interest, not the voting rights and therefore does not apply as a restriction. Chris also claims that since the amendment of the corporate documents is not mentioned in the section requiring unanimous consent, a majority vote is sufficient.

Pat claims that the intent and spirit of the corporate documents is always to require unanimous approval of all actions affecting the company, as evidenced by the language throughout the document requiring such in other situations, and therefore, Pat maintains that any purchase by Chris of a voting interest must receive the approval of the other 5 members as well as Pat, which Pat intends to oppose and expects to succeed in getting the other 4 members to oppose as well.

These actions by Chris have raised tensions between Chris and Pat. Pat believes Chris' actions are contrary to the intent of the corporate documents, and wants Chris to share control of the company with Pat and others. Chris and Pat have argued and disagreed publicly in front of other owners. This obvious tension and disagreement between Chris and Pat has been embarrassing to the other employees and co-owners, and has caused the co-owners to express concern over the long-term viability of the company.

Morale of the employees is low because of their public and private feuding. The other co-owners have confronted Chris and Pat in an owner meeting, asking them to figure out how they can work together without upsetting the work place, fellow workers, and customers.

In light of the comments of the co-owners, Chris and Pat have come to you as the mediators. They recognise that their conflict is affecting their relationship at work and within their families. They both want to develop a closer personal and family relationship, realizing that their dispute is upsetting the work place as well as their extended family. They are at a loss on how to orchestrate healing and improve their personal and work relationships, or to resolve the issue on who controls decisions in the company.

Pat has had a business valuation of Digital Imaging Services, Pty Ltd prepared, which indicates that DIS is valued at \$1.35 million. Chris and Pat agree that the valuation is fair and accurate.

## **MAJOR ROLE PLAY CASE STUDY #2 – MARRIAGE CASE**

*Will Mitchell and Kylie Mitchell*

Will and Kylie are members of your church. They have been married seven years, and they have two children: Chloe (5) and Mia (3). A few weeks ago after church, Kylie approached you and your spouse. She said she really needed to talk to someone about her marriage, but she had to pick up the kids right then. You could see that her eyes were red from crying.

Kylie has poured all her energy into being a good mother and keeping a nice home, while Will has worked very hard to provide for them. Kylie has gained weight since she had the kids, and worries that Will doesn't find her attractive anymore. What is worse, she fears that he is involved with someone at work or with pornography, or both, since he doesn't seem "interested" in her anymore.

During the course of pre-mediation coaching, Kylie reported that she "discovered" (by hacking into Will's computer) that Will has, in fact, been visiting pornographic internet sites. Kylie confronted Will about her "discovery," demanding that he get counselling to help him stop using pornography. The confrontation turned into an angry argument. Will told Kylie she was being absurd. Kylie screamed, "I wish I could throw your filthy computer out into the street."

Kylie vacillates between a desire to encourage Will through this difficult time and pursue restoration of their marriage and a desire to punish Will for "defiling their marriage bed with pornography." She is afraid that she won't be able to support herself and the kids if she drives Will away, but she "can't stand sleeping in the same house with him right now." Kylie has been sleeping in the girls' room ever since she confronted Will.

Will is adamant that he "doesn't have a problem with pornography." He admits to "the usual teenage forays into nudie pictures," but maintains that he was viewing the web sites Kylie discovered while doing research for an art project for work. Will thinks Kylie is being absurd for making such a big deal about it. Will has reluctantly agreed to live elsewhere temporarily and consider getting counseling, since Kylie has insisted on that, but he resents her "kicking him out of the house," even though he has agreed to participate in the mediation.

Both Will and Kylie have agreed to participate in the mediation, stating they are willing to work toward reconciliation. They both vacillate back on forth on this commitment. They have asked the mediators help them address the issue of whether they should and/or do agree to seek a reconciliation plan, what such a plan would look like, and how the financial burdens resulting from such a plan would be handled between them.

Kylie thinks Will should bear the burden of getting an extra job to pay for his counseling and temporary housing, since “he caused the marital problem.” Will thinks Kylie is blowing things out of proportion and should “experience the consequences of making him move out” by having to live on the limited budget of state-mandated child support. Will hopes this will provide a reality check to Kylie, so that she’ll stop threatening divorce when she gets angry.

## Family Budget - Will and Kylie Mitchell

### Monthly Income

Will's Salary (Artful Design)	\$5,000.00
Interest on Savings (\$10,000 earning 4%/yr)	\$33.00
Taxes withheld (15%)	-\$750.00
Tithe (10%)	-\$500.00

**Monthly Net Spendable Income** \$3,783.00

### Monthly Expenses

Mortgage (Westpac)	\$513.00
Utilities	
Electric (budget billing)	\$80.00
Water/Sewer/Garbage	\$50.00
Phone	\$45.00
Cable (TV/internet)	\$79.00
Mobile phone (Will)	\$60.00
Mobile phone (Kylie)	\$60.00
Insurance	
Life (Will)	\$30.00
Life (Kylie)	\$28.00
Health (Family)	\$527.00
Transportation	
Will's car payment	\$325.00
Will's car petrol & oil	\$100.00
Will's car maintenance/repairs	\$50.00
Kylie's car payment	\$315.00
Kylie's car petrol & oil	\$100.00
Kylie's car maintenance/repairs	\$50.00
Food	\$600.00
Entertainment	\$200.00
Clothing	\$100.00
Miscellaneous	\$200.00
Savings	\$250.00
<b>Total Monthly Expenses</b>	<b>\$3,762.00</b>