



## **Moot mediation description**

This is a moot mediation description prepared for the teachers organizing moot mediation process for students. This description is a useful material for teachers also organizing the final moot mediation session after the mediation course.

### **Step No. 1. Preparation of the mediation case**

Teachers choose in which field of law the mediation case will be prepared – Family law, Commercial law, Criminal law, etc. The chosen mediation case should be written by the teachers, including a number of specific situations, which the mediation case could possibly have. Students may not be informed about the mediation case until the moment the moot mediation process begins. When the mediation case is prepared, the teachers discuss the case among themselves, eliminating possible mistakes, defects, shortcomings in the text. The mediation case text must explicitly describe the situation and involved persons, showing their interests, so the students participating in the mediation process could get better in the role. The mediation case must be prepared taking into account number of students participating in the mediation process, so that each student has a chance to show his or her abilities as the mediator. The teachers must decide approximate length of the mediation process, which will be given for each group. The teachers must agree according to which parameters the performance of the students in the role of mediators will be evaluated (for instance, setting environment, introductory part of mediation, observation of mediation principles, observance of structure, visualization tools, etc.).

### **Step No. 2. Preparation of mediation rooms**

Teachers prepare classrooms for mediation, taking into account that it is possible to work for one group of students in one classroom. All classrooms must have the same technical and equipment possibilities, so to avoid further possible complaints about differential treatment between students in different classroom. Each class must have at least one table (around which all group students can sit), chairs for students participating in the process, chairs for teachers observing the mediation process, name sheets for students, so the teachers could precisely identify each participant.

### **Step No. 3. Division of students into groups**

Teachers divide students in groups, taking into account particular mediation case. To foster the process, two co-mediators can be appointed in each group. Students should be divided in the groups randomly, to avoid possible previously agreed teams. Gender balance should

be observed as well in each group. If students are from different countries, country balance could be observed in each group.

#### Step No. 4. Explanation of the exercise

Teachers meet all students in one classroom, distribute them mediation case and give 5 – 7 minutes time to get acquainted with the case. Teachers explain them the mediation case. If students have questions, teachers answer them. However the teachers should refrain from giving personal tips and advices to the students. When the case is explained, questions answered, the teachers divide students in the classrooms and at least one supervisory teacher follows each group of students and remain with them at all time of the mediation process.

#### Step No. 5. Mediation process

At the time previously agreed by the teachers all groups of students start the mediation process. The teachers supervising the process take care that the students observe rules of mediation process and actively observe their roles. The supervisory teacher makes notes and writes performance of each student. These notes are further evaluated by the team of teachers to approximate the objective mark for the group. At least one teacher observes all teams, by walking into all classes and watching performance of all groups. This is necessary for more objective evaluation of all teams.

#### Step No. 6. Evaluation of mediation process

When all teams have completed their works the teachers gather together to discuss the performance of students and compare the results, as well as decide on the marks.

#### Step No. 7. Final discussion with the students about the results

In the end of mediation process all students and teachers gather in the classroom to discuss results of the mediation. The teachers explain typical mistakes made by participants, as well as praise the best performances. For privacy and dignity reasons precise names of the best/worst students should not be disclosed when discussing the best/worst performances. The teachers can help the students to get out of their roles, so the students could emotionally return to the neutral and not positioned study environment. If students have questions, the teachers answer them. If possible, the teachers announce the results of mediation role play.