

**CRILLEY MEDIATION SERVICES**

**PRESENTS**

**A Mediator's  
Desk Guide to  
Mediation in  
Iowa**



***A Mediator's Desk Guide to Mediation in Iowa***  
**by Christine L. Crilley**

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(and more practice rules)	

# Introduction: About This Guide

What you have before you is the desk guide for Mediators describing Mediation in Iowa. When I first became a Mediator, oh so many years ago, I would have been thrilled to have all of this information in one-quick access location. But quite frankly, at that time, Mediation was in its infancy in Iowa and to define Mediation in Iowa was not very easy.

Time has passed, and the Legislature, the Supreme Court of Iowa, the local programs and Judges, and Mediators have shaped a program of Mediation which in reality is a series of programs throughout the state and sometimes from Court room to Court room. The “law” in Iowa sets up general rules for Mediators, but the Districts (and sometime each county or each Judge or each program Director)—depending on individual philosophies and feelings about Mediation—have set up multiple programs in Iowa, with multiple rules and multiple ways of doing Mediation.

The successful Mediator must navigate all these different programs, philosophies, and rules to have a viable Mediation practice. Not to mention the necessity for the successful Mediator to reach and satisfy “gatekeepers” (generally attorneys or Directors of the programs) in order to be eligible to practice in the programs, get referrals and mediation work.

Today’s Iowa Mediator may choose to be a chameleon in style and practice, adjusting themselves to the District/Court program, to the attorneys using the Mediator, to the issue (s) presented, and to the participants within the Mediation session.

Sometimes the Mediator will use joint session; and sometimes the Mediator will use caucus session or a combination thereof. Sometimes the attorneys will attend the Mediation sessions and sometimes the attorneys will not attend the Mediation session. Some District/Court programs will have attorneys in attendance and the sessions will be in a caucus format for all mediation sessions. Some Mediation sessions may take an hour with other Mediation sessions lasting all day. Some participants will resolve with just one Mediation session, others may need more than one session. Participants may resolve all issues, no issues, some issues, or issues that no one expected to even discuss—underlying issues, under the surface issues, the emotional impact. The Mediator may be directive in style, non-directive, transformative, problem solving, evaluative, etc. etc. etc.

You get the point. Mediators adjust themselves to the circumstance

of the Mediation. “Why?” you ask. Because, often times we are the only ones in that Mediation session with the skills, emotions, or abilities to do so. Participants (including lawyers) get very entrenched in positions, old hurts, anger, etc. We are the process guides.

We, as Mediators:

1. Take on the responsibility and obligation to guide the Participants on a journey of re-evaluation of positions;
2. Help Participants discuss and uncover old hurts that stop resolution or forward/present movement/progress;
3. Help Participants brainstorm an exchange of ideas, needs, and possible resolutions;
4. Guide Participants in a process of listening to each other;
5. Help Participants work on shifting old paradigms, building to new and perhaps healthier paradigms;
6. Assist Participants in a process of resolution (not a particular resolution, as we are not the decision-maker, but to “a” resolution);
7. Guide a process of self-determination by the Participants as to what they discuss and how they resolve (remember, we do not give legal advise);
8. We provide a safe environment, where each Participant is heard by the other.

We guide a process that can work for so many in so many ways.

So, use this guide as a quick reference. It is not intended to be comprehensive. It is limited in information and discussion so you can find specific information that may be needed quickly, in a short, easy to access format.

A handwritten signature in black ink that reads "Chris Culler". The signature is written in a cursive, flowing style.