

A Comparison of Facilitation and Mediation Shows Some Similarities, But Also Some Important Differences

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Facilitation and mediation may be compared along several dimensions, beginning with the two main differences: goals and process.

Goals: In mediation, the goal is to get an agreement. In facilitation, it is to assist a group in accomplishing the "content of their work," whatever that may be. Familiar examples include a vision statement and plan for implementation of a depressed area of a city, a strategic plan with action items for an organization, the preparation of recommendations to a decision making body, an effective retreat, solving a particular problem and writing regulatory rules.

Process: Mediation typically follows a fairly set process that is determined primarily by the mediator, but which is dependent on the type of mediation (e.g. family, civil, community) and style of the mediator (e.g. facilitative, evaluative, transformative). The outcome is determined by the clients. In facilitation, however, the group (or representatives of the group) determines the process as well as the outcome.

Neutrality: Neutrality is a central tenet of mediation. While the facilitator certainly cannot be biased, strict neutrality is often an irrelevant issue, since many groups do not have "sides" and are not resolving long-standing conflicts.

Open Sessions: In both mediation and facilitation, the neutral will use some open or plenary session (often called a joint session in mediation) to gain and share information, encourage communication, promote problem-solving between the parties and prioritize issues. In facilitation, the open session may also be used for the actual drafting of documents.

Caucus vs. Small Group Work: In mediation, a private session with one party or parties may be used to develop support and trust, explore settlement options Or communicate privately about the strengths and weaknesses of a party's case. In facilitation, small groups are often used to accomplish a specific task, often for the larger group, but just as often may not be necessary.

Generation of Options/Ideas: In mediation, the parties propose solutions and options with the mediators guidance and additions. In facilitation, the parties may be led through a series of structured techniques - brainstorming, nominal group technique, etc. - to solicit ideas and generate and prioritize options. The facilitator does not become involved in the creation of options or ideas, but rather is limited to the role "record keeper."

Agenda Design and Ground Rules: As the owner of the process, the mediator will set the agenda and ground rules after the parties have identified the issues. In facilitation, the facilitator assists in designing an agenda with input from the convener(s) and/or the group, which owns the process.

Invoking Ground Rules: In both facilitation and mediation there are difficult parties. In mediation, the mediator might call a caucus or invoke a ground rule to change the behavior of that party. In facilitation, the group invokes the ground rule, or the facilitator might pull the person aside at a break to talk with him/her.

Identifying the Parties: One important difference in the two processes is the identification of the parties. In most mediations, who the parties are in generally fairly obvious. In facilitation, just as in public policy mediations, identification of all stakeholders is an important part of the pre-facilitation process, especially if consensus-based decision making is the method to be used.

Methods of Decision Making: In mediation, the process of decision making is interest based negotiation and compromise. In facilitation, the group decides the process of decision making and the facilitator helps to lead it.

Role of the Neutral: In mediation, the role of the mediator remains constant, as a catalyst for change in the parties' communication. In facilitation, roles of the facilitator may vary greatly depending on the needs and desires of the group or its conveners.

Prior Contact with Parties: In mediation, contact prior to the actual beginning of mediation with the parties and their attorneys is a matter of the mediator's style. In facilitation, prior contact with the convener(s), stakeholders and others is a necessity to properly plan the meeting and understand the goals of the meeting.