



## Judges in the Classroom

### The Mediation Process in the Primary Grades

#### Source:

Tarry L. Lindquist, educational consultant, adapted this lesson from another lesson entitled *State of Washington v. Herschel C. Lyon*, which she wrote with Julia A. Gold and Margaret Fisher. Staff at the Washington State Administrative Office of the Courts (AOC) edited the lesson and updated it in 2012. For more information, contact AOC Court Services, 1206 Quince Street SE, PO Box 41170, Olympia, WA 98504-1170. For an electronic copy of this lesson, or to view other lesson plans, visit Educational Resources on the Washington Courts Web site at: [www.courts.wa.gov/education/](http://www.courts.wa.gov/education/).

#### Objectives:

1. Students will be able to list the steps in the mediation process.
2. Students will role-play the mediation process in a variety of situations.

#### Grade Level:

Grades K-3

#### Time:

30 minutes (this is less than a typical class period of 50-55 minutes)

#### Materials:

None

#### Procedures:

1. **Begin the class by introducing yourself** to the students and telling a little bit about yourself, if this is your first class.
2. **Ask students if they ever have problems on the playground.** Elicit several responses. Ask students how they solve their problems. Listen to several responses. Tell the students that you are going to share with them a special way to solve problems; the special way is called mediation. Write the word "mediation" on the board or on a docu-camera.
3. **Tell the following story:**  
  
Two children were playing catch on the playground at recess. Pretty soon another child came along and asked to play. The two children said, "No! We don't want to play with you." The little child who was left out cried and cried.

**4. Ask the students the following questions:**

Could this situation ever happen on your playground? How did the children feel? Was this a good thing to happen?

**5. Tell the students you're now going** to see if mediation would help. Explain that mediation is a process when people disagree. They talk with the help of someone else who is not involved in the disagreement who helps them find a compromise or a common ground on which they can agree to solve their problem. This person is called mediator.

**6. Ask for three volunteers** to act out the scene as told under procedure 3. When the two children reject the third child, step in as the mediator and coach the children through the mediation process.

**Steps in the Mediation Process**

- **Introductions:**

"Hello, my name is Mediator\_\_\_\_\_. What are your names? It seems like you have a problem here. Would you like me to help?"

(The goal here is to put the parties at ease. The mediator does not make the decisions; the mediator only facilitates helping the parties come to their own agreement.)

- **Telling the Story:**

Ask each side to tell his or her side of the story without interruptions from the other side. The mediator does not take sides, but listens as each person speaks.

- **Brainstorm Solutions:**

Ask students for ideas about how to solve the conflict. Suggested questions are: "What would have to happen for you to feel better about this? How could we solve this problem?"

Elicit ideas from the whole class at this time, not just the students who acted out the scene.

- **Reach an Agreement:**

Help the parties find a solution they can all live with or a compromise to resolve the dispute.

7. **Invite other volunteers** to role play the steps in the mediation process. Keep coaching. Ask the other children to help you coach each group through the process. Repeat several times, until you feel confident the children understand the process.

Primary children learn more efficiently when they involve many modalities. To help the students retain the steps in the mediation process, you might make up a little routine to help them recall each step.

For example:

Introductions -- pretend to shake hands

Telling the Story -- make talking noises with your hands

Brainstorm Solutions -- touch your head

Reach an Agreement -- give a "high five" or "knuckle bump" sign

8. **Review the steps in the mediation process** by asking the children to tell you what those steps are. Divide the class up into groups of four students each. Have each group role play the same story, taking turns being mediator. Ask students if they understand the assignment. Walk around, coach, and compliment. Stop every three to five minutes and ask for a group to volunteer to show the rest of the class their enactment of the mediation process.
9. **If there is time, tell another story** or ask the teacher to tell a story that highlights a common class conflict. For example, tell the following story:  
  
The children were all lined up to go to library. Suddenly, one child at the back of the line charged up and got in front. The other children didn't like that at all so they pushed the child out the way. They pushed so hard the child fell down and got hurt.
10. **Ask four or five children** to role-play the scene of crowding in line; have another student act as the mediator. Coach the children through the process. Solicit advice from the rest of the class using this as a review of the steps in the mediation process.