

MEDIATOR SELF-SURVEY

I. CURRENT MARKETING PRACTICES

1. What services do I offer as a private mediator?
2. What is the target market for my services?
3. How do I communicate the availability and nature of my services to my target market?
4. How do my services provide improvement or diversity from other mediators in the same market?
5. What is my involvement with organized professional associations in my trained profession?
6. What is my ongoing involvement with other mediators? How is such involvement "cost-effective"?
7. To which professional journal subscriptions and software do I subscribe?
8. What is my involvement with statewide and national mediator organizations?
 - a. How is this involvement cost-effective?
9. What is the extent of my volunteer work for the community?
10. How do I help other mediators/professionals develop their professional craft or practices?

II. FINANCIAL INVESTMENT AND PERFORMANCE OF THE PRACTICE

11. What out-of-pocket capital have I invested to develop my mediation business?
12. How much is budgeted for the next 12 months in direct capital outlay?
13. How much professional time have I invested to develop my mediation business?
14. What is the value of that time in foregone income?
15. What is my budget for professional time in the next 12 months?
16. What is the rate of economic return on my capital and professional time investment?

III. FEE CHARGING AND COLLECTION PRACTICES

17. What is my record for being paid fairly, adequately and on time for my mediation services?
18. How do I collect my unpaid fees?
19. What is the rate and timing of collection?
20. What are my practices in respect to my willingness to arbitrate or litigate to collect fees?
 - a. What are my criteria for arbitrating or litigating fee collection?
 - b. If I do not arbitrate or litigate, what corrective steps am I making to reduce unpaid fees?
 - c. What are my criteria for writing off a fee?
21. What is contained in your written mission statement about your mediation practice?
22. What is contained in your written business plan to financially develop your mediation practice?

IV. MANAGEMENT OF PRACTICE

23. Do I want to have a mediator partner? (Or steady co-mediator?) If so, why? If not, why not?
24. What is my contribution to the growth of mediation through training?
25. What is my contribution to the growth of mediation through articles?
26. What is my contribution to the growth of mediation through development of materials?
27. How do I work with the following experts:
 - a. Forensic Accountants:
 - b. Actuaries:
 - c. Real Estate Appraisers:
 - d. Business Appraisers:
 - e. "Industry" Specialists:
 - f. Child Development Experts:
 - g. Children, Extended Family Members:
28. How does my mediation contract inform and educate clients as to:
 - a. My services?
 - b. Rules of my practice?
 - c. Financial requirements?
29. How does my contract protect me:
 - a. Financially?
 - b. From malpractice claims?
30. What do I or my staff do to educate (potential) clients about mediation?
31. What procedures have I developed in the office for:
 - a. Mailing:
 - b. Display:
 - c. Showing videos:

- d. Helping clients prepare and succeed at mediation?
32. What is my policy in helping spouses locate consulting counsel?
33. Will I mediate by conference call? If so, what is my procedure?
34. How do I communicate outside of session with:
 - a. Parties?
 - b. Counsel?
 - c. Experts?
35. What role do I play in:
 - a. Mediation session summary letters?
 - b. Drafting agreements?
 - c. Interim court orders?
 - d. Filing legal documents?
36. Do I permit counsel to attend sessions?
37. What role will counsel play?
38. How are their procedures set up?
39. Once the presenting problem is resolved, what preventive planning do I conduct for the spouses?
40. What follow-up do I perform in monitoring compliance with mediated agreements?
41. What type of tickle system have I set up to keep mediators on track and to follow up on future developments?
42. How do I stay in contact with mediation clients?
43. What procedures do I have for initiating wellness (annual) mediation check-ups?
44. How do I engage in preventive mediation?

V. TRAINING

45. What are my goals for training?
46. What skills do I wish to focus on in training?
 - a. What role will I play in training?
 - b. What role will the supervisor play in training?
47. What areas of economic practice development do I wish to focus on in training?
48. What training format do I believe will most help me?
49. What obstacles do I believe will hinder my training?
 - a. What will I do to overcome these obstacles?
 - b. What do I want the supervisor to do in helping me overcome obstacles?
50. What issues or techniques do you wish to focus on in your training?
51. What type of supervisory style do you believe would be most effective in your training?
52. What type of supervision format do you believe would be most effective in your training?