



PROPOSED PASTORAL MEDIATION PROCESS

I. Selection of mediator

- a. Needs to be someone with whom all involved are comfortable
- b. Propose 3 – 5 names as possible mediators
- c. A second person with special expertise in the area under consideration (e.g., a psychologist who deals with sexual abuse victims) may be utilized by the mediator to assist in understanding the issues

II. Initial Process

- a. Parties involved meet face to face with the mediator (and expert if being used)
- b. Each party makes an opening statement with the claimant going first
- c. The opening statement explains that person's perspective and raises the issues to be resolved
- d. The mediator summarizes what was heard from the claimant and invites the Archdiocese to make an opening statement
- e. The mediator summarizes what was heard from the Archdiocese and lists the agenda of items to be addressed
- f. The parties go to separate rooms and the mediator meets individually with each and presents the various issues and responses going back and forth; nothing said to the mediator is shared with the other side without the consent of the individual involved
- g. There may be a point where everyone comes back to the same room

III. Restorative Justice

- a. The underlying concept is to humanize both sides
- b. The goal of restorative justice is to restore the victim, so the main question is: What is needed to bring about that restoration?
- c. The search is for common ground on all sides

IV. Other Issues

- a. Lawyers will not be involved in the mediation
- b. According to civil law, anything said or done in mediation is not admissible in court