

Leveraging Mediation in Resolving Conflicts In Business Families



Conflict is normal in human relationships... conflict is a motor of change

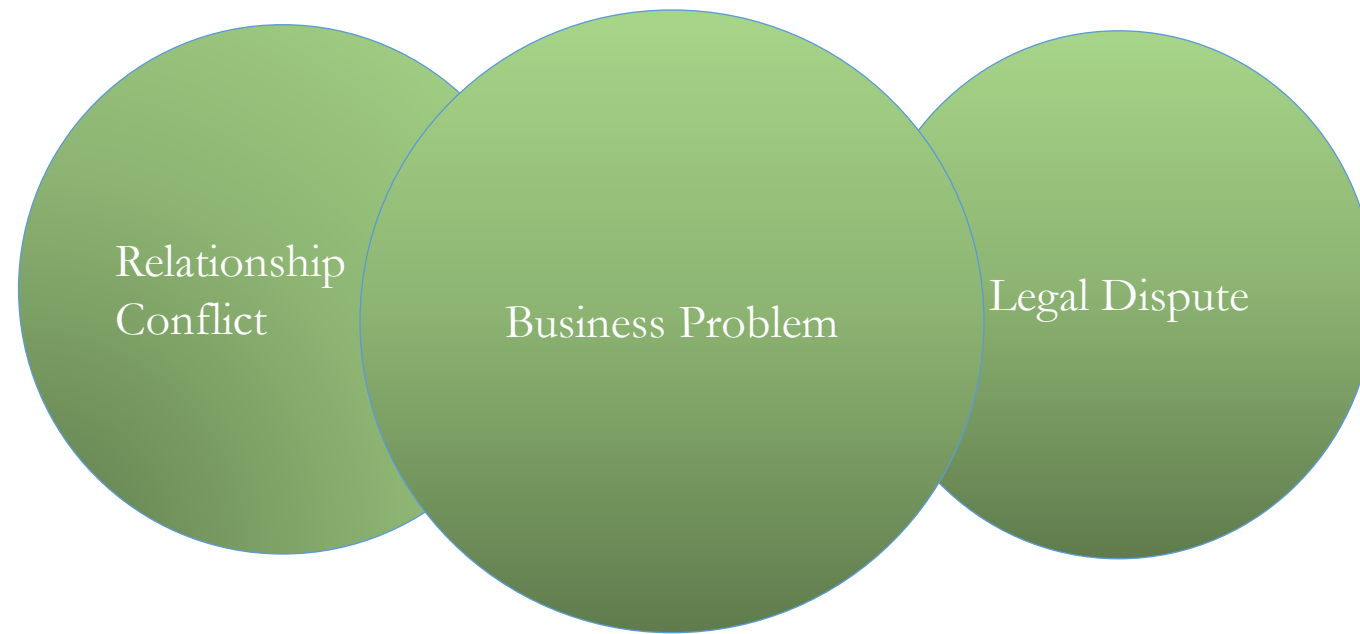
CONFLICTS FACED BY BUSINESS FAMILIES

Relationship
Conflict

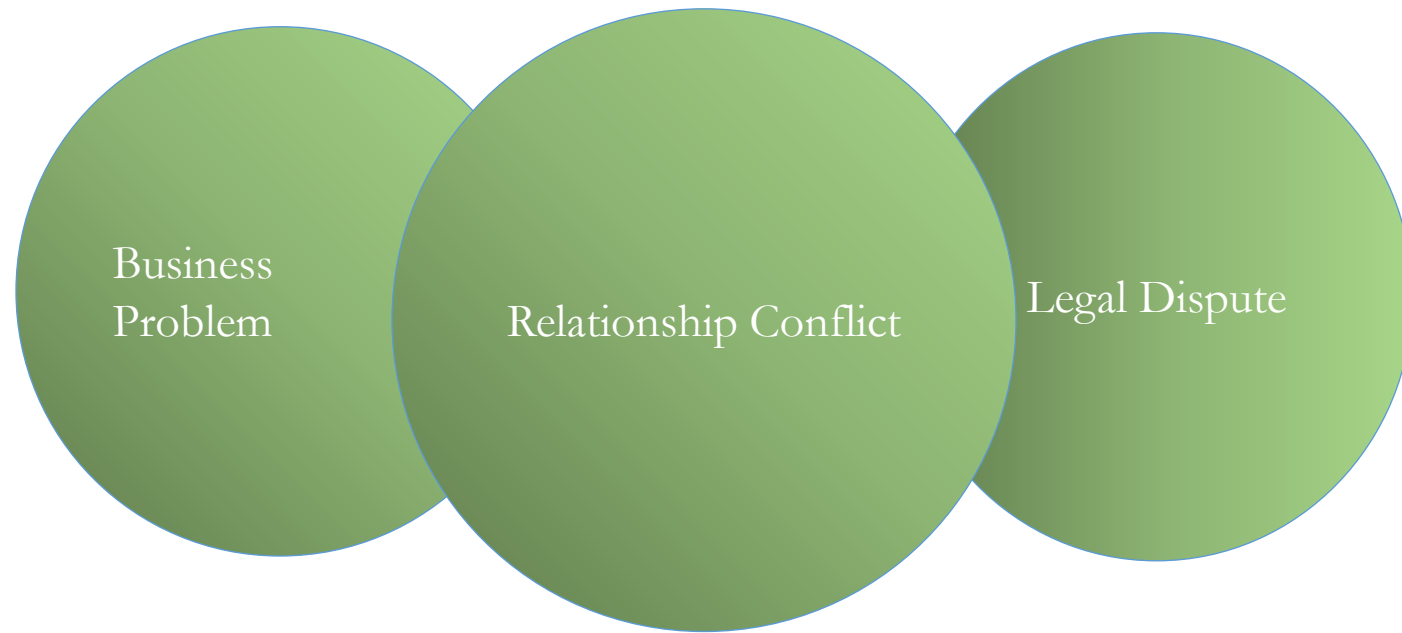
Business Problem

Legal Dispute

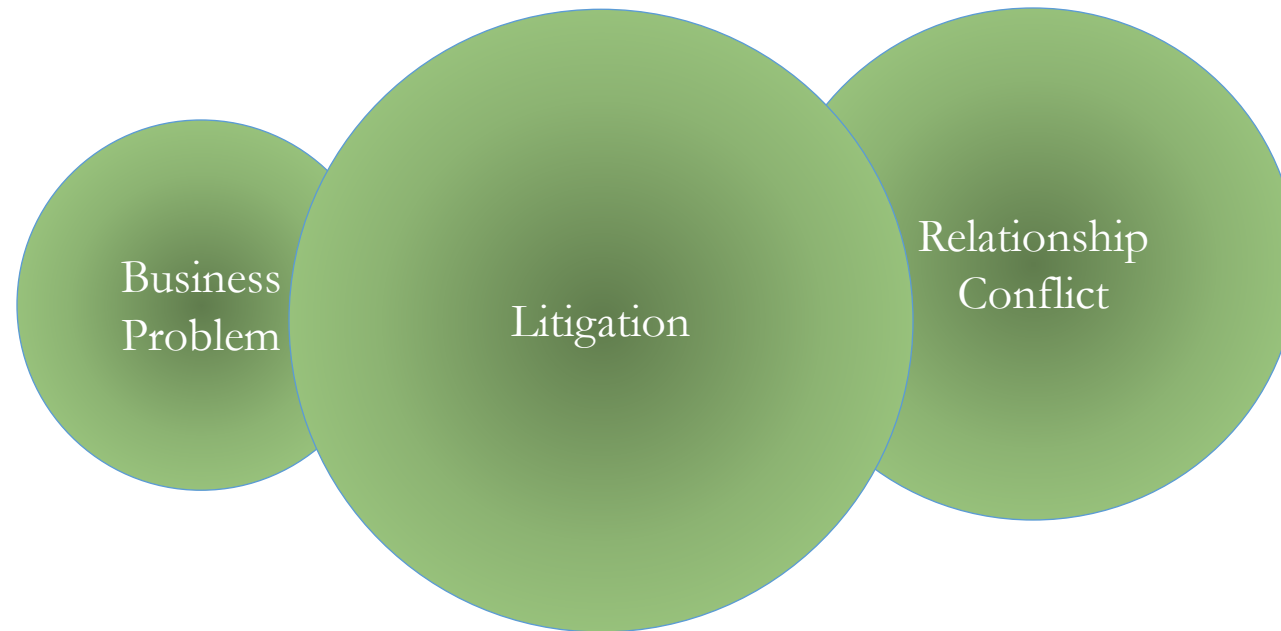
Decisions



DISPUTES



LITIGATION



POTENTIAL PATHWAY OF CONFLICT



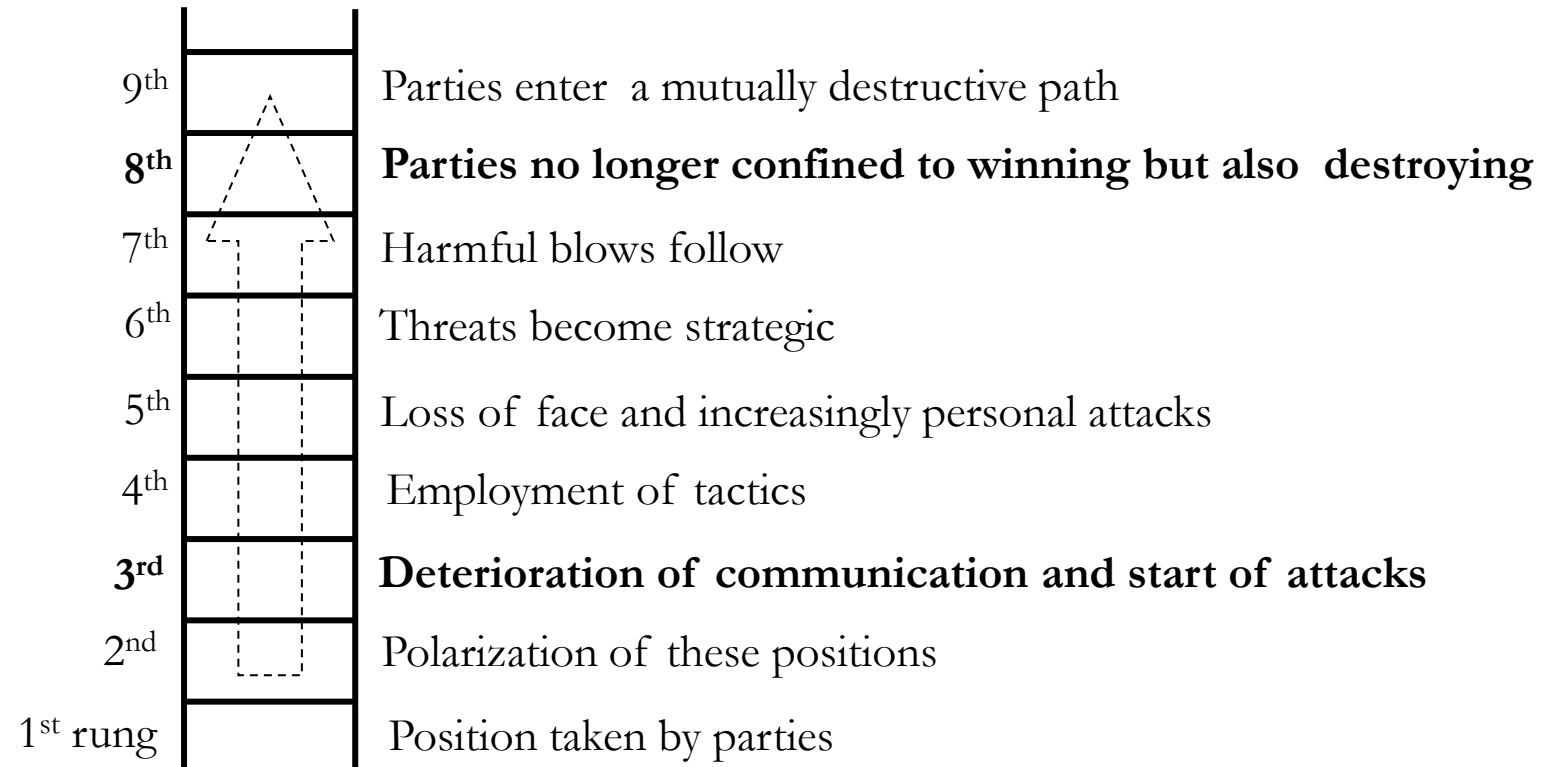
Decisions

Disputes

Litigation

ANATOMY OF A CONFLICT

DISPUTE ESCALATION LADDER



Adapted from Friedrich Glasl's ladder with 9 rungs

WHAT IS MEDIATION

Mediation

Mediation is a voluntary process in which the parties make decisions together based on their understanding of their own views, each other's, and the reality they face.

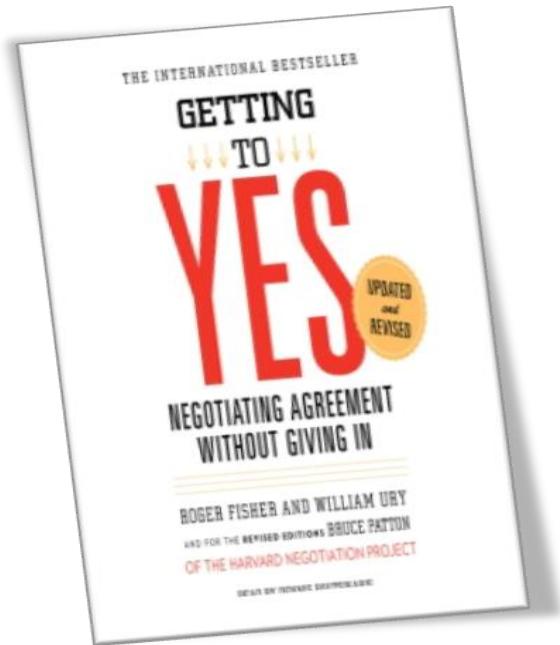
Mediator's role

The mediator works as a non-coercive neutral to help the parties negotiate an agreement that serves them better than their alternatives

Dispute Resolution Processes – Criteria for Comparison

- Degree of coercion
- Formality of the process
- Roles of parties and lawyers
- Role and key competencies of neutral
- Role of law

ROLE OF MEDIATOR



FACILITATE NEGOTIATION

Interest Based / Understanding Based

UNDERLYING INTERESTS IN MEDIATION



What do I want?

Why do I want?



A MEDIATORS MIND

WHY MEDIATE?

- a) Control
- b) Confidential
- c) Cost Effective
- d) Collaborative

OUT BEYOND IDEAS OF WRONGDOING
AND RIGHTDOING, THERE IS A FIELD.
I'LL MEET YOU THERE.

-RUMI

