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Mediation Techniques for Code Enforcement Officers

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Often code enforcement officers get caught in the middle of neighbor disputes and are caught in a dispute with citizens who are upset with their HOA or the City. This interactive program will teach the code enforcement officer how to put basic mediation techniques to work during those types of situations. The program will introduce the code enforcement officer to basic mediation and negotiation techniques including the role of a neutral mediator, new communication skills, interpreting body language and gestures, active and passive listening, diffusing anger, arriving at root-causes of disputes, remaining neutral, and achieving desired results. During the program participants will have the opportunity to use audience response systems, collaborate in groups, and role-play as disputants in various neighborhood simulations.
Mediation Techniques for Code Enforcement Officers

Professors Ulicki & Willrich
8:30 a.m.-11:30 a.m.
Wednesday October 22, 2014

About this program..........

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What Mediators Do..........

- Probe and ask questions
- Observe what disputants say
- Observe disputants body language
- Recognize and respond to mounting tension
- Maintain control
- Establish rapport, confidence and trust
- Maintain personal presence that reflects calmness, interest in both sides and attentiveness

The Role of the Neutral Mediator

Probe & Ask Questions

The more information you can obtain about a situation the better equipped you will be to assess the situation and to arrive at a solution......

Types of Questions

- Present your questions in a relaxed, conversational way;
- Try to achieve a discussion rather than an inquisition
“What do you think” would be an example of what type of question?

A. Open-ended question  
B. Closed question  
C. Hypothetical question  
D. Follow-up question

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“Assume that you are made boss for the day. What changes would you make in your workplace?” This is an example of what type of question?

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“Do you think we should leave now?” would be an example of what type of question?

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Communication Skills

Speaking & Listening
Be aware of your vocal tone, pitch, volume, intensity and speed of speech.

Research tells us that:
1. A person is more apt to accept a message from an unknown source if the message begins with a position that is similar to their own;
2. A communicator’s effectiveness will increase if he/she expresses some views that are also held by his/her audience;
3. People are more persuaded by a communicator they perceive to be similar to themselves.

How many kinds of listeners do you think there are?
A. One
B. Three
C. Six
D. Eight

This type of listener is in tune with the emotional state of others and is so busy processing the nonverbal cues to figure out what the speaker is feeling that they miss the meaning of the speaker’s communication.
A. Leisure Listener
B. Inclusive Listener
C. Technical Listener
D. Stylistic Listener
E. Non-conforming Listener
F. Empathic Listener

This type of listener is searching for the speaker’s major point or key idea. They listen more intensely at the beginning of the conversation and then relax when they find the key point or idea. They have a wide listening band to absorb a broad scope of information.
A. Leisure Listener
B. Inclusive Listener
C. Technical Listener
D. Stylistic Listener
E. Non-conforming Listener
F. Empathic Listener
This type of listener is in tune with pleasant stimulating communication but tunes out communication that causes discomfort or effort.

A. Leisure Listener
B. Inclusive Listener
C. Technical Listener
D. Stylistic Listener
E. Non-conforming Listener
F. Empathic Listener

This learner is as interested in who the speaker is as much as what the speaker has to say. The listener weights the speaker's style and background and rejects the message if the speaker does not conform to the listener's preferred speaker style.

A. Leisure Listener
B. Inclusive Listener
C. Technical Listener
D. Stylistic Listener
E. Non-conforming Listener
F. Empathic Listener

This type of listener has a narrow band of listening. Listens more frequently where the knowledge is related to physical sciences.

A. Leisure Listener
B. Inclusive Listener
C. Technical Listener
D. Stylistic Listener
E. Non-conforming Listener
F. Empathic Listener

This type of listener begins listening with a firm position already in mind and evaluates whether the speaker's position is similar to his own.

A. Leisure Listener
B. Inclusive Listener
C. Technical Listener
D. Stylistic Listener
E. Non-conforming Listener
F. Empathic Listener

What is your body language saying?
- Dress
- Demeanor
- Eye Contact
- Facial Expression
- Body Movement

Interpreting Body Language & Gestures
### Body Language Cues

<table>
<thead>
<tr>
<th>Attitude</th>
<th>Body Language</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-controlled</td>
<td>Hands on table, interlaced fingers</td>
</tr>
<tr>
<td>Confident</td>
<td>Steepling of hands</td>
</tr>
<tr>
<td>Interested</td>
<td>Leaning forward</td>
</tr>
<tr>
<td>Open, Acceptant</td>
<td>Open arms and hands</td>
</tr>
<tr>
<td>Evaluating</td>
<td>Index finger in cheek; taking glasses</td>
</tr>
<tr>
<td>Ready</td>
<td>Sitting on edge of chair</td>
</tr>
<tr>
<td>Defensive</td>
<td>Crossed arms on chest</td>
</tr>
</tbody>
</table>

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<tbody>
<tr>
<td>Suspicious</td>
<td>Not looking at you; sideways glance</td>
</tr>
<tr>
<td>Non-reassuring</td>
<td>Chewing on pen; rubbing thumb on thumb; biting fingernails</td>
</tr>
<tr>
<td>Bored</td>
<td>Doodling; drumming; blank stare</td>
</tr>
<tr>
<td>Expectant</td>
<td>Rubbing palms</td>
</tr>
<tr>
<td>Deferred</td>
<td>Stepping aside; backing away</td>
</tr>
<tr>
<td>Nervous</td>
<td>Clearing throat; hands covering mouth while speaking; tugging at ear; wringing of hands</td>
</tr>
<tr>
<td>Frustrated</td>
<td>Tightly clenched hands; rubbing back of neck</td>
</tr>
</tbody>
</table>

### What does this gesture mean?

**A. Ok**

**B. Evil eye**

**C. Insulting sign**

**D. Job well done**

**E. All of the above**

### What does this gesture mean?

**A. Ok**

**B. An insult**

**C. Up Yours**

**D. Ok – as long as you don’t move your hand up & down**

**E. All of the above**

### What does this gesture mean?

**A. Come here**

**B. In a minute**

**C. Summoning the dog**

**D. Exercising the finger**

### What does this gesture mean?

**A. I’ve got your nose**

**B. Screw you**

**C. Good Luck**

**D. Flipping you off**

**E. All of the above**
**Diffusing Anger**

Acknowledge the persons stories or their side of the dispute – having someone listen is sometimes more important than the resolution.

- **Acknowledge** the person’s feelings – to minimize the “acting out”
- **Acknowledge** the person’s interests – recognizing the mutuality that may be present

**Taking out the sting by rephrasing the statement:**

One neighbor tells you: “I’m sick and tired of that lazy slob next door. Look at all that trash it makes our neighborhood look like we are living in the ghetto.”

You reply: “What I hear you saying is that you like your neighborhood and would like your neighbor to keep his yard in the same condition as everyone else in the neighborhood.”

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**The Dispute**

A dispute has arisen between two neighbors. It started when Joan cut down some trees that she thought was on her property. It turned out that the trees were on David’s property. David has now placed a number of signs facing Joan’s property. The signs are in violation of the ordinance. You arrive at the site to find Joan & David screaming at each other.
The Neighbor Dispute

- Instructions – Time 15 minutes
  1. Collaborate with one or two people sitting next to you.
  2. Can you think of a few reasons why David might be so angry?
  3. Can you think of a few reasons why Joan might be so angry?
  4. Can you think of any underlying reasons that might exist to make these two people so mad?

INSTRUCTIONS – 45 minutes

- Break into groups of 4
- Two of you will be the mediators
- One of you will be the student who owns the poster
- One of you will be the Code Enforcement Officer
- Disputants make sure that you get into “character” – how would the character think, feel, act, want etc.
- Mediators you are to remain neutral and try to facilitate the conversation between the parties.

The Kate Perry Dispute

Let’s Mediate the Dispute………

The Code Officers…..
- The City Ordinance requires that signs do not exceed 120 square feet
- The sign is a fire hazard
- It blocks windows
- It is not securely fastened down

The Students…
- The students claim the sign is 90 square feet
- It doesn’t block windows
- It’s made of inflammable fabric
- They have locked it down with security wires similar to a bike lock

Arriving at the Root-Cause of the Dispute

The Simulation Exercise

The Katy Perry Dispute
- She is a singer, songwriter and actress. She has served as a guest judge on American Idol. Her music incorporates pop, rock, and disco.

You Tube Video

A group of housemates propped up a huge poster of the pop star against their East Lansing residence after one of the students had received the poster as a gift from his grandmother.