

Survey Introduction

This survey is being conducted in connection with two upcoming mediation trainings. One training will be held on November 2, 2017 by the US District Court for the District of New Hampshire, the New Hampshire Judicial Branch Office of Mediation and Arbitration, and the University of New Hampshire School of Law. The other training will be held on November 3, 2017 by the New Hampshire Judicial Branch Office of Mediation and Arbitration. This survey is conducted for the New Hampshire Mediation Training research study. The purpose of the study is to learn about practitioners' experience and views about mediation. Some or all of the results will be used to help design the trainings and will be presented during the trainings. In addition, the results will be provided to attendees following the training and will be included in research publications and presentations about these issues.

Please complete the survey by October 23 if possible so that we can analyze the data before the trainings.

If you are participating in both the November 2 and 3 trainings, please complete the survey **only once**.

It should take you 5-10 minutes to complete the survey. The survey is anonymous and the results will be disseminated only in aggregate.

There will be no risk to you for participating in this research. You would get the benefit of learning about the experience and views of other New Hampshire practitioners.

Your participation is voluntary and you can decline to answer any or all questions. If you refuse to participate or withdraw, there will be no penalty or loss of benefits to which you are otherwise entitled.

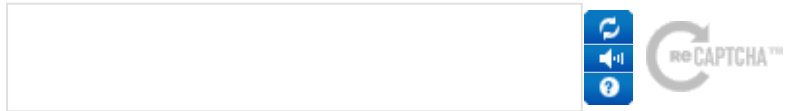
If you have any questions about this project, you can contact John Lande at 573-234-1745 or lande@missouri.edu. If you have any questions about your rights as a research subject, you can call the University of Missouri Campus Institutional Review Board at 573-882-9585.

. Do you consent to participate in this survey?

Yes

No

. Please confirm that you are not a spam-bot.



Type the text [Privacy & Terms](#)

Q1. Which of the following mediation trainings do you plan to attend? (Click all that apply.)

- Federal court** training for **mediators** on **Thursday morning**, Nov. 2
- Federal court** training for **lawyers** on **Thursday afternoon**, Nov. 2
- State court** training on **Friday**, Nov. 3

Q2. If you have a law degree, how long has it been since you received your degree?

- Less than 1 year
- 1-5 years
- 6-10 years
- 11-20 years
- 21-30 years
- 31 years or more
- I don't have a law degree

Q3.

If you **serve as a mediator**, how many years have you served as a mediator?

- Less than 1 year
- 1-5 years
- 6-10 years
- 11-20 years
- 21-30 years
- 31 years or more
- I don't serve as a mediator

Q4. Are you a judge or a retired judge?

- Yes
- No

Q5. Are you on the federal court's mediation panel?

- Yes
- No

Q6. Are you contracted with the State of New Hampshire to conduct mediations?

- Yes
- No

Q7. About how many mediations have you participated in in any role in 2017?

- None
- 1-5
- 6-10
- 11-30
- 31-100
- 101-200
- 201 or more

Q8. About how many mediations have you participated in in any role in **your entire career**?

- None
- 1-5
- 6-10
- 11-30
- 31-100
- 101-200
- 201 or more

Q9. How much of your practice in 2017 has been in the following roles? (The percentages must add to 100%.)

Mediator	<input type="text" value="0"/>
Arbitrator	<input type="text" value="0"/>
Neutral case evaluator or marital master	<input type="text" value="0"/>
Lawyer representing clients	<input type="text" value="0"/>
Mental health professional	<input type="text" value="0"/>
Teacher or trainer	<input type="text" value="0"/>
Other	<input type="text" value="0"/>
Total	<input type="text" value="0"/>

Q10. In the mediations you participated in in 2017, which role have you had most often?

- Mediator
- Lawyer on the plaintiff's (or petitioner's) side
- Lawyer on the defendant's (or respondent's) side
- Other

Q11. How much of your mediation experience in any role in 2017 dealt with the following subjects? (The percentages must add to 100%.)

Small claims	<input type="text" value="0"/>
Family, including juvenile	<input type="text" value="0"/>
Probate	<input type="text" value="0"/>
Employment / civil rights	<input type="text" value="0"/>
Employment / other issues	<input type="text" value="0"/>
Torts	<input type="text" value="0"/>
Criminal	<input type="text" value="0"/>
Construction	<input type="text" value="0"/>

Other civil	<input type="text" value="0"/>
Other	<input type="text" value="0"/>
Total	<input type="text" value="0"/>

Q12. In the mediations you **participated in as a mediator** in during 2017, indicate the proportion of these cases in which the following actions occurred. If you did not act as a mediator in any cases in 2017, skip this question.

	Few or no	Minority	Half	Most	Almost all
All lawyers (or parties) provided substantive mediation memos before the mediation session?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
All lawyers (or parties) had a substantial discussion about the mediation with the mediator before the mediation session?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There was a substantial joint session during the mediation with all sides? This does not include a joint session that covers only the process.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q13. In the mediations you participated in during 2017 **as a lawyer**, indicate the proportion of these cases in which the following actions occurred. If you did not act as a lawyer in any mediated cases in 2017, skip this question.

	Few or no	Minority	Half	Most	Almost all
All lawyers (or parties) provided substantive mediation memos before the mediation session?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
All lawyers (or parties) had a substantial discussion about the mediation with the mediator before the mediation session?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Few or no	Minority	Half	Most	Almost all
There was a substantial joint session during the mediation with all sides? This does not include a joint session that covers only the process.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q14. In the **mediations you participated in as a mediator** in 2017, indicate the proportion of cases in which you engaged in each of the following activities. If you did not conduct any mediations in 2017, skip this question.

	Few or no	Minority	Half	Most	Almost all
Spent a substantial amount of time discussing the parties' underlying interests (i.e., not merely saving time and money or settling the case)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Suggested possible ways to resolve issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Asked pointed questions that raise issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Gave analysis of case, including strengths and weaknesses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recommended a specific solution for settlement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Made predictions about likely court results	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Applied some pressure to accept a specific solution	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q15. In the **mediations in which you represented a party** in 2017, indicate the proportion of cases in which the mediator engaged in each of the following activities. If you did not represent a party in any mediations in 2017, skip this question.

Few or no	Minority	Half	Most	Almost all
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Spent a substantial amount of time discussing the parties' underlying interests (i.e., not merely saving time and money or settling the case)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Suggested possible ways to resolve issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Asked pointed questions that raise issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Gave analysis of case, including strengths and weaknesses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recommended a specific solution for settlement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Made predictions about likely court results	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Applied some pressure to accept a specific solution	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q16. For each of the following activities, indicate the proportion of your cases that you think the activity **by the mediator would be helpful** (regardless of how often it has happened in your cases in the past).

	Few or no	Minority	Half	Most	Almost all
Spend a substantial amount of time discussing the parties' underlying interests (i.e., not merely saving time and money or settling the case)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Suggest possible ways to resolve issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ask pointed questions that raise issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Give analysis of case, including strengths and weaknesses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recommend a specific solution for settlement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Few or no	Minority	Half	Most	Almost all
Make predictions about likely court results	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Apply some pressure to accept a specific solution	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q17. What are some of the most challenging problems you have experienced in mediation in 2017? Include experience as a lawyer or mediator.

Q18. What topics would you like to be covered in the trainings on November 2 and/or 3?

