



Mediation Musings: Time

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There are all kinds of time and we've each developed a diverse menu of time types. How each individual handles time and how time decisions affect others are often a source of conflict. Time causes conflicts. Time can resolve conflicts too.

“Early is on time, on time is late, and late is unacceptable.” —Eric Jerome Dickey
Consider the variety of what the word *late* means. In one culture, showing up an hour past the time is not late, especially for a social occasion. In another culture folks line up at the door to ring the bell at the exact invited moment. In personal, professional, and community relationships these time norms creep into interpersonal interactions and misunderstandings arise. As I move into the final third of my life, I find I have several time types: Cruise Time, Teacher Time, Appointment Time, Flow Time, Dog Walking Time, etc.

“Time is a storm in which we are all lost.” —William Carlos Williams
Cruise Time—The cruise around the southern reaches of the African continent was beginning and my calendar had a three-week blank spot. Unscheduled adventure experience awaited me. Each day would create itself in unregulated and free-flowing unknown, and being in the moment was all that was required.

“Either you run the day, or the day runs you.” —Jim Rohn
Teacher Time—As a K–12 classroom teacher, I have found the lengths of one-, five-, ten-, and forty-five-minute segments have become an embedded chip in my brain. When the class period ends, the world will change in an instant. As a teacher I learned: You can accomplish a lot in five minutes. Also, that timing your coffee and seltzer intake is important since you have less than three minutes to run to the bathroom.

“Time is an illusion.” —Albert Einstein
Flow Time—Try reading [Mihaly Csikszentmihalyi](#)'s book *Flow* to understand what is happening when you are caught up in an activity that gives you joy: time disappears and you are in sync with the process, in something called “flow.” Artists, scientists, parents, and gardeners report long periods of time passing while they are engaging in work that they love, without realizing that time has passed.

Mediation Time

“Time is the wisest counselor of all.” —Pericles

Conflict resolvers are well advised to think about time as a conflict factor, and to also consider time as a conflict resolution tool. Talented conflict resolvers consider where more time is needed for those in conflict, and alternatively when there's no more time and time has run out. Mediators as neutral time analysts can really help people in conflict.

“You will never find time for anything. If you want time, you must make it.”

— Charles Buxton

A mediator might say, “Taking a couple of weeks to consider all the possibilities might be just what you need to be able to develop a durable agreement. Can you give it some of your time and then we can get back to it?” This is an example of an experienced mediator addressing the topic of time. New mediators are often astonished that when mediation session number two happens, disputants have entirely transformed. The likely factor in the parties' new approach is that the extra time allowed them to sleep on the issues, become relaxed with the situation, and adjust to the possibilities. All of this takes time.

“The bad news is time flies. The good news is you're the pilot.” — Michael Altshuler
In some mediations, time is limited. In some family courts the mediator can work with the clients for only three hours total. Sometimes a conflict arrives in mediation with a deadline already established. The court calls the jurors knowing that upwards of 80 percent of cases get settled within the hours before the jury is empaneled. This is a natural occurrence; the limitation of time can help some folks to sort out their priorities. For others, though, this limit on time means they might agree to a settlement that they don't fully think through. Whenever possible, mediators don't limit time for clients, since informed consent takes calm and settled thinkers who have the time that they need in order to consider the options.

“There is more to life than simply increasing its speed.” — Mahatma Gandhi

Sometimes you have one or both participants who have difficulties sustaining their attention and sticking with the process for the time it needs. Or they take up a lot of time, speaking and responding in a roundabout way. These issues of participant bandwidth issues—in other words, running out of steam and/or using time unproductively—can mean that the mediation time is not well spent. The mediator has some tools and strategies that they can use—if they can discern that time is the issue that needs to be addressed.

Mediation Time Tools and Strategies

Here are a few specific tools that involve using time and time conceptions in the service of helping mediating parties to get to their goals.

Name it. Inform clients that the issue of time has occurred to you, as the mediator, as a major theme in their conflicts. Use direct quotes and language from the disputants and loop the information back to them for their consideration. “I’m wondering how you are thinking about the differences between you about time. Is that something we should be talking about?”

Note it. Note the time that the mediation started and note how much time you take on each topic or discussion. Note how long each person speaks in order to balance participation. Note discussion time and refer to equity in who takes time to speak. “I’d like to share with you notations about time in this mediation. Is this working for both of you, are you comfortable with how we are using our time together?”

Narrate it. Use aspects or percentages to summarize how time is being used in mediation and help participants to keep up with what has occurred to prepare to move forward. “I’m estimating that 75 percent of our time so far is focused on events from the past and about 25 percent is focused on planning for the future. What do you think about that?”

Notice it. As each party describes the conflict story as they see it, they will reference time concepts. Notice these with your clients for their responses. “I noticed that both of you are pretty clear that this has been going on for about three or four months. So you are in alignment on the time frame for this controversy.” Or, “Jean said that the fight went on an hour and Leigh said it was a few minutes. I wonder if you think it would be worth delving in to that difference in each of your estimated time frames?”

Identify time language differences. Most people talk about time using the same words but intend them differently. Mediators who identify these differences can note them and invite parties to discuss how these differences affect their relationship. “Jay, you said you would get to fixing the leak ‘soon.’ I’m wondering if you could explain to Paul what the word ‘soon’ means to you when you say it. . . . Paul, when you hear the word ‘soon,’ I’m wondering what you assume this word means in terms of fixing the leak.”

Homework time. Sending participants off to do some “thinking homework”—and picking up on what all agree to do between sessions—can often be a helpful way to end a mediation on a high note. “I’m looking forward to you coming back in two weeks having done the ‘thinking homework’ you assigned yourselves, with three new ideas about how to handle this issue.”

Additional Considerations for the Mediator

Work on your tempo. If you know music, you know that any musical composition is dramatically affected by the chosen tempo. Some parties appreciate a faster pace, others need things to unfold slowly. Most mediations can find a good fit if the mediator works on attending to the tempo—like a musical conductor. Speeding up or slowing down your delivery can have an effect on the participants, since most people mirror the pace set by the leader.

Offer time remedies. Sometimes the parties are hoping that the mediator will tell them what to do—but facilitative mediators don’t do that. Offering time-frame ideas is not being too directive in many cases. Making suggestions about time, like “Would you like to use the remaining twenty minutes putting a future timeline in place? Or should we stay on this topic until we end?” is not putting your thumb on the scale—it is helping clients to collaborate in making process decisions.

Ask about time limitations. Remember to check about time availability. The worst mediations are those that are just getting chugging along when one party jumps up and runs out. It’s hard to pick up the momentum at another time, so better to ask about availability of uninterrupted time for mediation.

Analyze time. Between sessions it might be helpful for you and your co-mediator, if there is one, to analyze your use of time and talk about how your time is being used effectively and how to improve in the next session.

Keep track of your own time. I know we have superheroes among us, but if you have a very intensely scheduled day leading into a mediation session, consider giving yourself a refreshing break before you put others’ conflicts in your hands. Your own personal time management, including getting enough sleep the night before and planning for your bodily needs for food, rest, and de-stressing, is part of what you sign up for when you become a mediator.

Using a Time Lens

We all can think of an experience where five minutes went by in a flash and other times when those were the five longest minutes of our life. Time is relative in so many ways. If a conflict seems intractable, consider where time is a factor and how it is affecting the conflict’s structure. As mediators, coaches, and conflict resolvers, and in our everyday lives, it may be helpful to regularly view our world through a time lens to see our way forward toward the future, armed with time on our side.

“It is the time you have wasted for your rose that makes your rose so important.”

—Antoine de Saint-Exupéry