

Mediation Participant Evaluation - Agreement Seeking

OMB Number: 3320-0004

Approval Expiry Date: 02/28/2015

The U.S. Institute for Environmental Conflict Resolution requests your assistance in evaluating this process. As a part of this evaluation we ask the various participants who have been involved in this project to provide us with information about their experience. The data compiled will be used to improve future mediation and facilitation processes. The average estimated reporting burden for this questionnaire is 18 minutes. This estimate includes time for reviewing the instructions, gathering the data needed, completing, and reviewing the questionnaire. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Institute. The Institute will not report information from this evaluation in a way that respondents or their organizations can be identified. Moreover, the identity of individual respondents will be kept confidential and will not be disclosed. The Office of Management and Budget (OMB) number that is displayed on the cover is currently valid and authorizes this collection of information.

Base Survey: Mediation Participant Evaluation - Agreement Seeking

1. Please indicate the extent to which agreement was reached. TO ANSWER THIS QUESTION, THINK ABOUT WHAT IT WAS THAT THE GROUP WAS CHARGED TO COME UP WITH AT THE END OF THIS COLLABORATIVE PROCESS.

The term "AGREEMENT" applies to the written or unwritten agreement reached by participants in the process, including plans, proposals/recommendations, procedures, collaborative decisions to work together and settlements.

Select only one

- Agreement reached on all key issues
- Agreement on most key issues
- Agreement on some key issues
- No agreement on any key issues, but progress was made towards addressing the issues or resolving the conflict.
- No agreement, we ended the process without making much progress.

Use the space below if you would like to elaborate on your response:

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2. Using the scale below, rate the following statement regarding the agreement (as referred to in #1).

2. Please select one:

- CLICK HERE IF AGREEMENT WAS REACHED
- CLICK HERE IF NOT APPLICABLE (I.E., NO AGREEMENT WAS REACHED)

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2. Using the scale below, rate the following statement regarding the agreement (as referred to in #1).

2a. The extent to which you feel that the agreement reached takes account of your key interests.

0 - Not at all 5 - Moderately 10 - Completely



2b. The extent to which the agreement reached will effectively solve the problem/resolve the conflict.

0 - Not at all 5 - Moderately 10 - Completely



2c. The extent to which you are confident the agreement can be implemented.

0 - Not at all 5 - Moderately 10 - Completely



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3. If an assisted collaborative process had not been used, what would have been the most likely approach to working to address this issue(s)? (*click only one*):

- a. Unassisted negotiation
- b. Judicial settlement conference
- c. Litigation
- d. Lobbying or working to achieve legislative action
- e. Rulemaking
- f. Arbitration
- g. Administrative proceeding (e.g., agency appeals process, contested process hearing, agency order)
- h. Wait for a better time to take action
- i. Don't know
- j. Other

If you selected Other, please specify:

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4. Please consider how the collaborative process you completed compares with the alternative that you identified in the previous question. Select the option that reflects your best estimate of the costs of the collaborative process compared to the alternative. (*click only one*):

- The collaborative process was *likely* less expensive
- The collaborative process was *likely* more expensive
- The costs of the collaborative process were *likely* about the same as the costs of the alternative

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5. Were the benefits from the process worth the time and money you/your organization invested? (*click only one*):

- Yes
- No
- Don't Know

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6. Using the scale below, how do you think the collaborative process you completed would compare with the alternative that you selected in the question 3?

6. Please select one:

- [CLICK HERE IF APPLICABLE \(YOU DID NOT SELECT "DON'T KNOW" FOR QUESTION 3\)](#)
- [CLICK HERE IF NOT APPLICABLE \(YOU SELECTED "DON'T KNOW" FOR QUESTION 3\)](#)

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6. Using the scale from the previous page, how do you think the collaborative process you completed would compare with the alternative that you selected in the question 3?

6a. The results of the collaborative process *better* served my interests.

0 - Not at all

5 - Moderately

10 - Completely

6b. The results of the collaborative process are *less likely* to be challenged.

0 - Not at all

5 - Moderately

10 - Completely

6c. The participants are *more likely* to be able to work together in the future on matters related to this case or project.

0 - Not at all

5 - Moderately

10 - Completely

6d. The collaborative process we participated in *more effectively* addressed the issues or resolved the conflict.

0 - Not at all

5 - Moderately

10 - Completely

6e. The collaborative process we participated in led or will lead to a *more informed* public action / decision.

0 - Not at all

5 - Moderately

10 - Completely

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7. Using the scale from the previous page, please rate the extent to which the following conditions were in place (1) when the process began and (2) as a result of the process.

7a. Before the process began, the participants were able to work together cooperatively.
Leave blank if don't know.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

7a. As a result of the process, the participants were able to work together cooperatively.
Leave blank if don't know.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

7b. Before the process began, the participants trusted each other. *Leave blank if don't know.*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

7b. As a result of the process, the participants trusted each other. *Leave blank if don't know.*

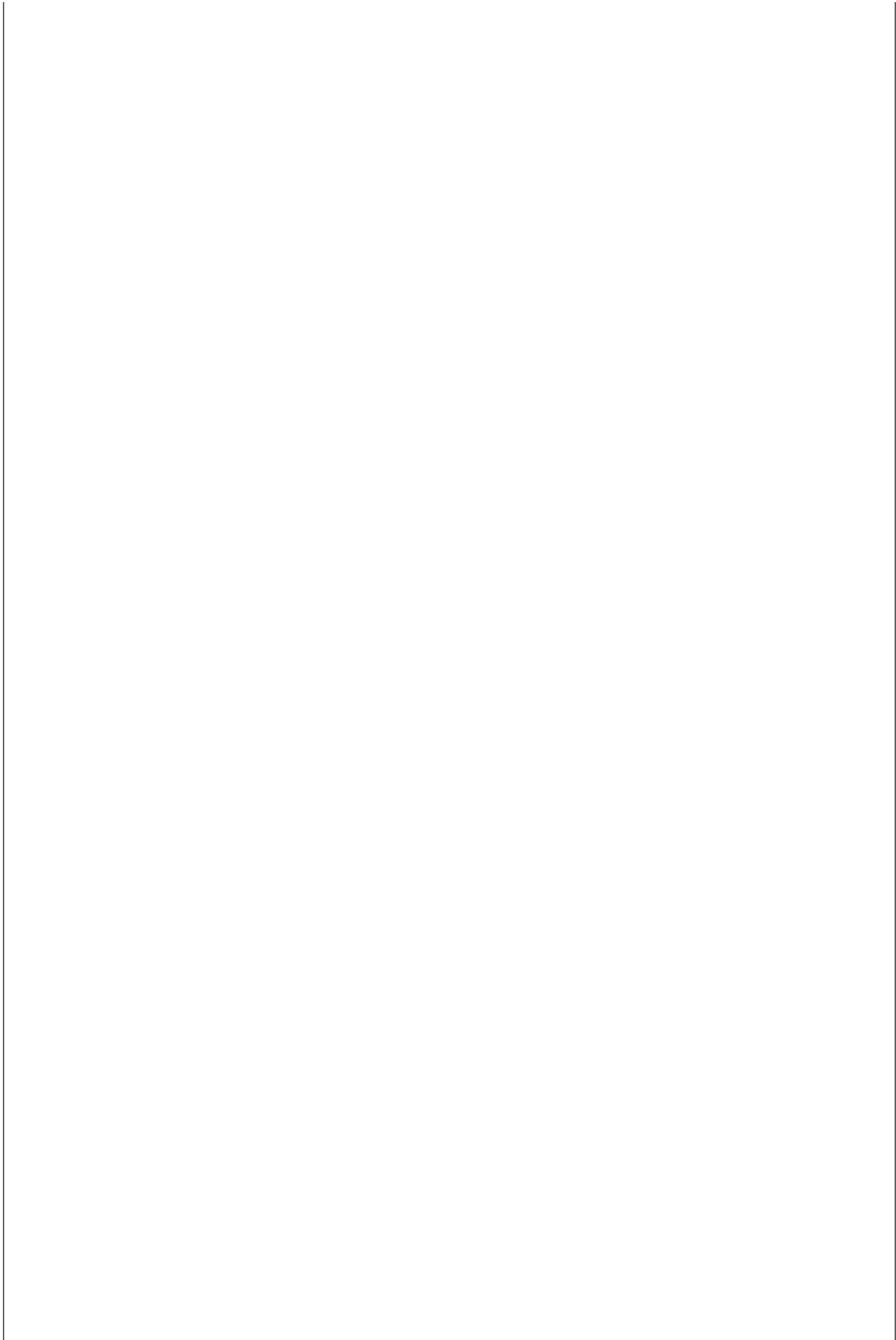
0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

7c. Before the process began, the other parties had legitimate interests that needed to be addressed.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

7c. As a result of the process, the other parties had legitimate interests that needed to be addressed.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree



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8. Please identify the key factors important to your decision whether to participate in this facilitated/mediated process. (*please select the MOST important one*):

- a. Ability to have confidential discussions
- b. Fairness of process
- c. Necessary parties would participate
- d. Sufficient trust of other parties
- e. Prospects for reaching agreement
- f. Initial conversations (sometimes called situation or conflict assessments) with a process facilitator/mediator
- g. A change in factors outside my control (e.g., court order, agency decision)
- h. Other.

If you selected g or h, please specify:

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8. Please identify the key factors important to your decision whether to participate in this facilitated/mediated process. (*please select the SECOND MOST important one*):

- a. Ability to have confidential discussions
- b. Fairness of process
- c. Necessary parties would participate
- d. Sufficient trust of other parties
- e. Prospects for reaching agreement
- f. Initial conversations (sometimes called situation or conflict assessments) with a process facilitator/mediator
- g. A change in factors outside my control (e.g., court order, agency decision)
- h. Other.

If you selected g or h, please specify:

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9. Using the scale provided, please rate your level of agreement with the following:

9a. I had the resources (e.g., time, money) needed to participate effectively in the process.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

9b. The participants, as a group, felt they were appropriately engaged in designing the process. *Leave blank if "Don't Know" or "Not Applicable".*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

9c. I was involved as needed in selecting the mediator(s)/facilitator(s). *Leave blank if "Don't Know" or "Not Applicable"*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

9d. As a result of early conversations with the mediator/facilitator we were able to make an informed decision on whether a collaborative process could help us meet our goals. *Leave blank if "Don't Know" or "Not Applicable".*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

9e. The participants, as a group, represented all affected concerns.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

9f. The participants had sufficient authority to make commitments on behalf of their organizations.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

9g. The participants continued to be engaged as long as their involvement was needed.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

9h. The process helped you gain a better understanding of the other participants' views and perspectives.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

9i. The process helped you identify and focus on the key issues that had to be addressed.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

9j. The participants, as a group, sought options or solutions that met the common needs of all participants.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

9k. The process enabled participants to be civil to each other.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

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10. Using the scale provided, please rate your level of agreement with the following:

10a. I had sufficient access to relevant information I needed in order to participate effectively in this collaborative process.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

10b. Information technology tools (e.g., a project web site was used to share information, spatial analysis and decision support tools were used) were effectively used. *Leave blank if Not Applicable.*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

10c. I gained useful information as a result of participation in the process.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

10d. The quality of the information used was sufficient to support the group's discussions and decision making.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

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11. Using the scale provided, please rate the following for each of the mediators/facilitators involved in this process. Please identify each mediator/facilitator by entering their initials in the space provided, and then rate each statement for each mediator/facilitator.

11. Initials of mediator:

11a. The mediator/facilitator kept us on track and helped us find ways to move forward constructively.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11b. The mediator/facilitator helped us manage technical discussions efficiently. *Leave blank if Not Applicable.*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11c. The mediator/facilitator dealt with all participants in a fair & unbiased manner, and made sure that no one dominated the process.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11d. I trusted the mediator/facilitator.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11e. I was comfortable with the level of confidentiality in my discussions with the mediator/facilitator. *Leave blank if Not Applicable.*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11f. The mediator/facilitator made sure that my views and perspectives were considered in the process.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11g. The mediator/facilitator helped the participants test the practicality of the options under discussion.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11h. The mediator/facilitator was helpful in documenting our work. *Leave blank if Not Applicable (e.g., no agreement).*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11i. On reflection, this was the right mediator/facilitator to guide the process.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

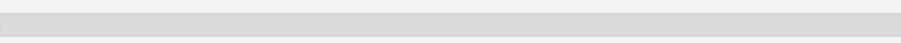
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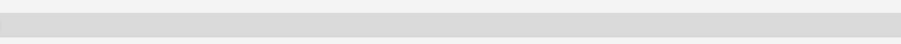
11a. The mediator/facilitator kept us on track and helped us find ways to move forward constructively.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree



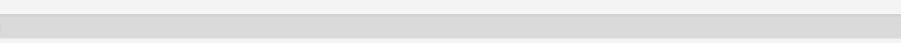
11b. The mediator/facilitator helped us manage technical discussions efficiently. *Leave blank if Not Applicable.*

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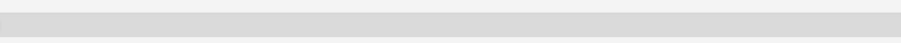
11c. The mediator/facilitator dealt with all participants in a fair & unbiased manner, and made sure that no one dominated the process.

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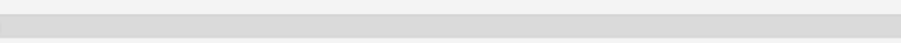
11d. I trusted the mediator/facilitator.

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11e. I was comfortable with the level of confidentiality in my discussions with the mediator/facilitator. *Leave blank if Not Applicable.*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree



11f. The mediator/facilitator made sure that my views and perspectives were considered in the process.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11g. The mediator/facilitator helped the participants test the practicality of the options under discussion.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11h. The mediator/facilitator was helpful in documenting our work. *Leave blank if Not Applicable (e.g., no agreement).*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

11i. On reflection, this was the right mediator/facilitator to guide the process.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

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11i. On reflection, this was the right mediator/facilitator to guide the process.

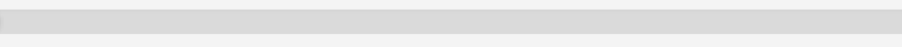
0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

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12. Using the scale provided, please rate your agreement with the following statement.

12a. I had communication with the mediator/facilitator that did not include all parties, and helped me resolve an issue important for advancing the process. *Leave blank if Not Applicable.*

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree



12a. If yes, please elaborate on how the communication contributed to advancing the process:

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13. Using the scale provided, please rate your agreement with the following statements:

13a. I would recommend this type of process to colleagues in a similar situation.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

13b. We could not have progressed as far using any other approach of which I am aware.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

13c. The group could not have progressed as far without the help of a mediator/facilitator.

0 - Do not agree at all 5 - Moderately agree 10 - Completely agree

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14. Overall, what did this collaborative process accomplish? (*please select the MOST important one*):

- a. A potentially costly or divisive dispute was likely avoided.
- b. An impasse (stalemate) was broken.
- c. A crisis was likely averted.
- d. Conflict didn't escalate.
- e. Costly or protracted litigation was likely avoided.
- f. Relationships among parties in this process were improved.
- g. The process resulted in timely decisions and outcomes.
- h. Nothing was accomplished.
- i. The process made the issues or dispute worse.

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14. Overall, what did this collaborative process accomplish? (*please select the SECOND MOST important one*):

- a. A potentially costly or divisive dispute was likely avoided.
- b. An impasse (stalemate) was broken.
- c. A crisis was likely averted.
- d. Conflict didn't escalate.
- e. Costly or protracted litigation was likely avoided.
- f. Relationships among parties in this process were improved.
- g. The process resulted in timely decisions and outcomes.
- h. Nothing was accomplished.
- i. The process made the issues or dispute worse.

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15. From your perspective, what will be the effects (e.g., impacts or benefits) of the progress made? PLEASE RANK THE MOST IMPORTANT EFFECTS (E.G., 1ST MOST IMPORTANT, 2ND MOST IMPORTANT). PLEASE ALSO BRIEFLY DESCRIBE THE EFFECTS.

15a. Natural resources and environmental conditions

15a. Please briefly describe the effects.

15b. Historic and cultural resources

15b. Please briefly describe the effects.

15c. Community and social conditions

15c. Please briefly describe the effects.

15d. Economic conditions

15d. Please briefly describe the effects.

15e. Recreational uses

15e. Please briefly describe the effects.

15f. Other

15f. Please briefly describe the effects.

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16. What is your top suggestion on how this collaborative process could have been improved?
PLEASE WRITE "NONE" IF YOU FEEL THIS PROCESS COULD NOT HAVE BEEN
IMPROVED.

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17. Which category best describes the interest or organization you represented in this process? SELECT THE MOST APPROPRIATE OPTION ONLY.

- a. Federal Government
- b. State Government
- c. Local/County/Regional Government
- d. Tribal Government
- e. Environmental/Conservation
- f. Recreational
- g. Industrial/Resource Extraction
- h. Business/Commercial
- i. Community or Private Citizen (e.g., neighborhood association, local resident)
- j. Special Advocacy Interests
- k. Other

If you selected j or k, please specify:

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18. Please use the space below for any additional comments you would like to make.