

Five-Day Judges Mediation Skills Training Program (FROM 06 – 11 JULY 2023)



❖ Alternative Dispute Resolution (ADR) refers to a set of processes and techniques designed to resolve conflicts and disputes outside of traditional courtroom litigation. It is Cost-Effective, Time-Efficient, Confidentiality and privacy, Reduced Formality, Emphasis on Win-Win Solutions, etc. It is an appealing choice for parties looking to resolve conflicts in a more efficient, cost-effective, and collaborative manner.

❖ Considering the importance of ADR and its faster, less expensive, and time-saving approach, the Sindh Judicial Academy arranged a training program on the direction of the High Court of Sindh for developing mediators' skills among participants with essential knowledge, skills & competencies, building on/enhancing existing skills, and using a common framework and process for conducting mediations (i.e., consistent global practices).

❖ This Five-Day Training Program (from 05 July 2023 to 09 July 2023) of highly interactive and skill-based sessions was attended by 18 Judicial Officers including Additional District & Sessions Judges, Senior Civil Judges, and Civil Judge/Judicial Magistrates.

❖ The following faculties shared their valuable experience during the sessions:

- ✍ Mr. M. Shahid Shafiq, D&SJ/SFM Sindh Judicial Academy
- ✍ Mr. Javed Ahmed Keerio, District & Sessions Judge

- ✍ Ms. Navin Merchant Senior Partner
Merchant Law Associates
- ✍ Mr. Shaheen Premani Advocate High
Court of Sindh



❖ With an introduction to Dispute Resolution Landscape, the participants were briefed on Approaches to Negotiation: Position to Interests. They were also given an introduction to Mediation Phases, which include the Preparation Phase and the Opening Phase. Guided learning was also provided with an Introduction to Exploration, Positions, and Interests.

❖ The power of "Active Listening - Verbal" was underscored, with its profound impact on effective communication taking center stage through insightful discussions and practical exercises.

❖ Participants were then allowed to apply their burgeoning skills in a practical context through invigorating role-play exercises, further solidifying their grasp of the concepts.

❖ The participants were explained the role play and confidential briefs with a practice session. They were also explained when the going gets tough: managing apparent. They were also enlightened with the Mediator's Ethics and Code of Conduct for the Mediator's advocate's role during mediation. The knowledge was shared upon completion of the process by writing the agreement. A thorough study of Exploration to Early Bargaining Reading of Confidential Briefs was shared and a Role Play with a debrief of Pajero Matters was exercised.

❖ Additionally, an illuminating discussion unfolded, shedding light on the common pitfalls that often lead to negotiation failures. These included the propensity for parties to adopt extreme positions, engage in unproductive "discussions," and the exchange of concessions. The detrimental effects of distrust, subpar negotiating skills, and the absence of realistic risk assessment were explored, highlighting the crucial need for adeptness in these domains.

❖ The acronym RPC, encompassing relationship, process, and content, was introduced as a framework to better understand and navigate complex interactions.

❖ The emotional aspect of communication and negotiation was not overlooked, as participants learned how to effectively work with emotions to foster productive and harmonious discussions. This holistic approach highlighted the importance of empathy and understanding in achieving successful outcomes.

❖ Ethical considerations in mediation were thoughtfully examined, shining a spotlight on the responsibilities and principles that guide mediators in their crucial roles. Participants engaged in meaningful dialogue

about upholding the highest standards of professionalism and integrity.

Conclusion

❖ As the assessment journey reached its conclusion, participants emerged with a sense of accomplishment, having navigated the assessment landscape with dedication and diligence. The final day not only marked the end of the program but also the beginning of a new chapter for these skilled mediators, poised to make a positive impact in the realm of dispute resolution and communication.

❖ The Hon'ble Mr. Justice Nadeem Akhtar, Director General Sindh Judicial Academy and Judge High Court of Sindh chaired the ceremony.

❖ Describing the importance of the periodic training sessions here at Academy, the Hon'ble Judge said that laws are complex and constantly evolving and training helps Judicial Officers stay up-to-date with the latest legal developments, precedents, and interpretations to ensure to make well-informed decisions based on the most current legal standards.

❖ The Hon'ble Judge shared that teaching ADR to Judicial Officers serves several important purposes within the legal system that include efficiency and speed, reduced caseload, customized solutions, and cost savings. He also shared that ADR can provide a more accessible and user-friendly means of resolving disputes, particularly for individuals who may find the formal courtroom setting intimidating or confusing.

❖ In the end, the participants were awarded Certificates.

