

Navigating the Planning, Convening and Conducting of a Public Process

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Public processes present unique challenges not present in private mediation. With some adjustments, your interest-based facilitation skills and mediation process structure can be effectively applied to help prevent and manage unproductive conflict. This session provides tips and strategies useful for leading decision making in larger groups, especially in public settings.

Planning:

Factors such as the nature of the issues, procedural feasibility and historic factors impact the design of an interest-based, consensus-building process or even whether such a process is appropriate for a given public policy issue. You should conduct an assessment to determine whether and how to design a process that stakeholders will see as clear and worthwhile.

- Nature of issues: policy decisions v. emergency action v. punishment of crime etc.
- Who sponsors? Who pays?
- Phases and Tracks?

Convening:

The scope of influence and interests tends to be larger in the public policy context and your ability to manage the breadth of a public policy facilitation may seem fragile at times. Bringing stakeholders to the table requires more management and analysis, and critical factors such as *inclusiveness, representation, and understanding the process and roles* require front-end attention to balance.

- Who comes to the table? How to choose representatives?
- How to involve others beyond the table?
- What protocols or ground rules?
- Will participation be subsidized (e.g. travel reimbursements, meals, etc.)

Conducting:

Facilitating effective and efficient information exchange related to public policy issues presents many challenges and can be accomplished in a variety of ways. The goal is to simultaneously build shared information and understanding (intellectual capital), new and stronger relationships (social capital) and new areas of influence (political capital). Much of what a public policy facilitator does before, during and after face-to-face events is the on-going nurturing of the process and relationships among the stakeholders.

- Confidentiality? Tape recording?
- Public presence and voice at meetings? Media involvement?
- Who speaks for the group?
- Where to meet? Practical concerns like AV, meals, parking
- Parallel processes and links to formal processes

- Shifting landscape: Late comers, changes in political leadership
- Information, Research and Complex Data issues
 - Assumptions and distrust of data
 - Jointly developed information: Field trips; Surveys and Studies; Conferences and public meetings; Web pages; newsletters, etc.

Decisions, Implementation, Monitoring and Follow Up:

- Deliberation: Jointly Assess the Impacts of Alternatives
- Decision making: Consensus? Voting?
- Closing meetings and “ending” the overall process
- Ratification and links to formal processes;
- Agreements and Action Plans: what level of detail, who is responsible, etc.
- Promote Doable, Sustainable Agreements

Resources:

Print:

- Bryson, J., *Strategic Planning for Public and Nonprofit Organizations: A Guide to Strengthening and Sustaining Organizational Achievement*. 3rd Edition, Jossey-Bass (2004)
- Cloke, K., *Mediating Dangerously : The Frontiers of Conflict Resolution*. San Francisco : Jossey-Bass, (2001)
- Cooley, J., et al., *Creative Problem Solvers Handbook For Negotiators and Mediators*. ABA Section on Dispute Resolution (2005)
- Fisher, R., Ury, w., & Patton, B. (1991). *Getting To Yes: Negotiating Agreement Without Giving In*. (2nd ed.). Cambridge, MA: Houghton Mifflin
- Fisher, R., Shapiro, D., *Beyond Reason: Using Emotions as You Negotiate*. Viking (2005)
- Holman, P., Devane, T. and Cady, S., *The Change Handbook: The Definitive Resource on Today's Best Methods for Engaging Whole Systems*. Berrett-Koehler, San Francisco (2007)
- Rosen, M., *Thank You for Being Such a Pain: Spiritual Guidance for Dealing with Difficult People*. Three Rivers Press (1998)
- Schwarz, R.M. (1994). *The Skilled Facilitator: Practical Wisdom For Developing Effective Groups*. San Francisco: Jossey Bass
- Stone, D., Patton, B. & Heen, S., *Difficult Conversations: How to Discuss What Matters Most*. New York: Penguin Books (1999)
- Susskind, L., McKernan, S., & Thomas-Larmer, J. (Eds.). (1999). *The Consensus Building Handbook: A Comprehensive Guide To Reaching Agreement*. Thousand Oaks, CA: Sage.
- Ury, W., *Getting Past No: Negotiating Your Way From Confrontation to Cooperation*. Bantam Books (1993)
- Ury, W., *Getting to Peace*. New York: Viking Press, 1999. Also titled *The Third Side*.
- Yankelovich, D., *The magic of dialogue: transforming conflict into cooperation*. New York: Simon & Schuster, (1999)

Internet:

- www.thataway.org (National Coalition for Dialogue & Deliberation)
- www.energyadrforum.com (Energy ADR Forum)
- www.acresolution.org (Association for Conflict Resolution)
- www.cpradr.org (International Insititue for Conflict Prevention & Resolution)
- www.nafcm.org (National Association for Community Mediation)
- www.crinfo.org (The Conflict Resolution Information Source)
- www.iaf-world.org (International Association of Facilitators)
- www.odrc.state.or.us (Oregon Consensus Program)
- www.policyconsensus.org (The Policy Consensus Initiative)
- www.ecr.gov (U.S. Institute for Environmental Conficlt Resolution)