**ACTIVE LISTENING FOR FACILITATORS**

**I. PAYING ATTENTION TO THE SPEAKER ("ATTENDING")**:

1. Look at the speaker. Keep the other persons in view so you can observe their reactions, but generally maintain eye contact with the speaker.

2. Show that you're interested in what he/she is saying. Encourage by unobtrusive use of "yes," "I see," "um hum." Use positive body cues at appropriate points -- nods, smiles, note-taking, furrowed brow, etc.

3. Most of the time, lean slightly toward the speaker. Keep an open, relaxed posture. Keep your physical movement to a minimum.

4. Engage the speaker by looking for opportunities to subtly mirror his/her cues. Do not mimic, but do look for ways to be CONGRUENT. For example, if he/she speaks slowly, match his/her cadence.

5. Draw the speaker out. Say something like, "I'd like to hear a little more about [subject]."

6. Try to listen for what is NOT being said -- what's missing that you might expect to hear in the circumstances?

7. Observe HOW things are said -- the emotions and attitudes behind the words may be more important than what is actually said. Look beyond the mere words the speaker uses -- remember that much information is displayed in voice intonation and body language.

8. Say little yourself! You can't listen while you're talking.

9. Show that you're listening and interested by asking QUESTIONS and FEEDING BACK, REFRAMING and SUMMARIZING. However, particularly in early stages, be careful not to interrupt the speaker's flow.

**II. ASKING QUESTIONS:**

1. Questions serve three basic purposes:

1. To show you're listening (especially in the early, trust-building stage);
2. To gather and organize information (particularly in the problem-solving stage); and
3. To express in question form what otherwise might be an academic statement -- for example, to test reality (most often in problem-solving and closure stages).

2. Generally, questions should be open-ended, not closed-ended. Closed-ended questions can be answered "yes" or "no," or with a specific answer like "two" or "January." They may encourage the answerer to stop talking. Open-ended questions cannot be answered so simply, and encourage the speaker to talk and explain in complete sentences. Open-ended questions are good because they invite a person to open up and tell his/her story. Examples of open-ended questions: "Tell me more about [subject]," "what happened next," "how did you feel when that happened," "what would you like to see as an outcome." Use close-ended questions exceptionally -- only to increase control over the flow of information or to confirm certain important facts.

**III. FEEDING BACK, REFRAMING, AND SUMMARIZING:**

1. When the speaker pauses, there's an opportunity to confirm that you've been listening and that you understand by FEEDING BACK what you've heard/observed to the speaker. It also is a way to check that your perception of what you think you heard/observed is accurate, as well as a way to validate for the speaker what he/she is feeling.

2. To feedback, repeat or paraphrase what the speaker has said (or displayed as unspoken feelings). Examples: "so, when that incident happened, you felt like . . .", "it sounds like an important issue for you is how to deal with . . .", "what I think I'm hearing is that you really need to. . . .", "I can see that you have strong feelings about that." Pause expectantly to let the speaker react. Common signs that you've done it right: the speaker will nod vigorously and/or respond, "yes, and . . . ."

3. Sometimes, repeating the last couple of words of a speaker will encourage him/her to go on, but you generally do not want to repeat verbatim what the speaker said -- you may sound like a mimic! Paraphrase instead. However, DO be conscious of particular words that seem important to the speaker and use them, if appropriate, in your paraphrasing.

4. REFRAMING is a special way of feeding back, and is one of the Facilitator's most important tools. It is restating what a party has said to capture the essence, remove negative overtones, and move the process forward. Reframing also is a way to translate a positional statement into a statement of interests or needs. Example: a parent says angrily, "He's [the teacher’s] so unreliable that I never can depend on him to tell me how his [my child’s] day was until it is a horrible one." Simple feedback might be, "so it really bothers you if he doesn’t communicate regularly" -- while a reframed response might be, "so a consistent communication schedule is important for you and Johnny." Either response may be appropriate, and the difference is subtle; the first might be better at an early point in trust-building, while the second might be better later, during problem-solving.

5. Summaries are part of most feedback, but sometimes you want to focus particularly on a summary. At major transitions, such as after one Party has told his/her story and before you turn to the other Party, do an overall summary of major points, and ask for confirmation.

6. Generally use neutral language. Example: one Party says the other was "hysterical." In feeding back, you might say the Party was "crying." A "liar" becomes a person who "disagreed" or "sees differently." Be careful not to get so pretentious that the Party feels you've misrepresented their point of view.

**IV. MANAGING THE FLOW OF COMMUNICATION:**

1. Stick to the speaker's subject. You may want to go to something else, but give the speaker time to finish.

2. Don't be too quick to try to move on when the speaker repeats things. Remember, repetition may indicate: (a) that the subject is very important to the speaker, and (b) that the speaker needs to feel that you've really heard him/her on the subject. This is a cue that you need to feedback what the speaker is saying.

3. If repetition does go on too long you can try saying something like, "Well, it's clear to me that [subject] is very important to you. Is there anything else that's also important for us to understand?"

4. Be comfortable with silence. Usually, one of the Parties will speak up soon enough. Use silent cues -- pauses, turning to another Party expectantly.

 -----------------------------------------------------------------------------------------------------------

**HOW TO OVERCOME IMPASSE**

As negotiations proceed, Parties sometimes reach an impasse -- often not due to overt conflict, but rather due to resistance to workable solutions or simply exhaustion of creativity. While the impasse might signal that the dispute is unresolvable in facilitation, the facilitator may believe that a workable agreement is still possible. Below are some techniques to get negotiations moving.

Always remember: The goal isn't to overcome impasse per se, but to help the Parties analyze and negotiate constructively. The Parties are free to stick with a position -- there may be a legitimate reason for impasse, and it's not your job to pressure the Parties into an agreement!

1. Take a break. Often, things have a way of looking different when you return.

2. Ask the Parties if they agree to set the issue aside temporarily and go on to something else - preferably an easier issue.

3. Ask the Parties to explain their perspectives on why they appear to be at an impasse. Sometimes, the Parties need to feel and focus consciously on their deadlock.

4. Ask the Parties, "what would you like to do next?" and pause expectantly. Or, say "frankly, it looks like we're really stuck on this issue. What do you think we should do?" These questions help the Parties actively share the burden of the impasse.

5. Ask each Party to describe his/her fears (but don't appear condescending and don't make them defensive).

6. Try a global summary of both Parties' sides and what they've said so far, "telescoping" the case so that the Parties can see the part they're stuck on in overall context. Sometimes, the impasse issue will then seem less important.

7. Restate all the areas they have agreed to so far, praise them for their work and accomplishments, and validate that they've come a long way. Then, ask something like: "do you want to let all that get away from you?"

8. Ask the Parties to focus on the ideal future; for example, ask each: "where would you like to be [concerning the matter in impasse] a year from now?" Follow the answers with questions about how they might get there.

9. Suggest a trial period or plan; e.g., "sometimes, folks will agree to try an approach for one month and then meet again to discuss how it's working."

10. Help the Parties define what they need by developing criteria for an acceptable outcome. Say: "before we focus on the outcome itself, would you like to try to define the qualities that any good outcome should have? "

11. Be a catalyst. Offer a "what if" that is only marginally realistic or even a little wild, just to see if the Parties' reactions gets them unstuck.

12. Offer a model. Say: "sometimes, we see Parties to this kind of dispute agree to something like the following . . . ."

13. Try role-reversal. Say: "if you were [the other Party], why do you think your proposal wouldn't be workable?" or "if you were [the other Party], why would you accept your proposal?"

14. Another role-reversal technique is to ask each Party to briefly assume the other's role and then react to the impasse issue. You also can ask each Party to be a "devil's advocate" and argue against their own position.

15. Ask the Parties if they would like to try an exercise to ensure they understand each other's position before facilitation ends. Ask Party A to state his/her position and why, ask Party B to repeat what B heard, and then ask A if B's repetition is accurate. Repeat for B. Listen and look for opportunities to clarify.

16. Ask: "what would you be willing to offer if [the other Party] agreed to accept your proposal?"

17. Use reality-checking. For example, "what do you think will happen if this goes to a due process hearing?" Draw out the emotional, financial, and other costs of litigation and delay.

18. If all else fails, suggest (or threaten) ending the session. Parties who have invested in the process often won't want it to fail, and may suddenly come unstuck. This approach is useful where one Party may be hanging on because he/she enjoys the attention the process provides, or enjoys the other Party's discomfort.