



What to Expect from Caucus in Mediation

CHECKLIST

Caucuses allow you and the mediator to speak confidentially and more directly about your concerns and the issues and how to resolve them. Mediators usually suggest caucus, but you can as well and at any point in a mediation.

Consider asking for a caucus if you find one or more of the following conditions while in mediation.

- When you have a general concern about confidentiality.
- When you have relevant information that the mediator should know but the other participant might not be entitled to, such as information about a health condition or an impending personnel action.
- When you are concerned that what you want to say will be misunderstood, could make matters worse or lead to premature impasse.
- When emotions are too high to participate well in joint session.
- When you want to explore an idea for resolution before sharing it.

While in caucus, the mediator:

- Will not take sides or advise you on what you should do, just as in joint session, and
- Will share only the information the other participant has authorized them to share from their caucus.

If you have a representative in mediation, you can use caucus to confer with your representative. You may have the mediator present or meet with your representative in private.

When preparing to end a caucus be prepared to:

- Work with the mediator to decide when and how to bring relevant information to the table for the other participant's consideration;
- Try out how you want to discuss sensitive topics; and
- Instruct the mediator on any information you do not want the mediator to share with the other party, whether in caucus or in joint session.