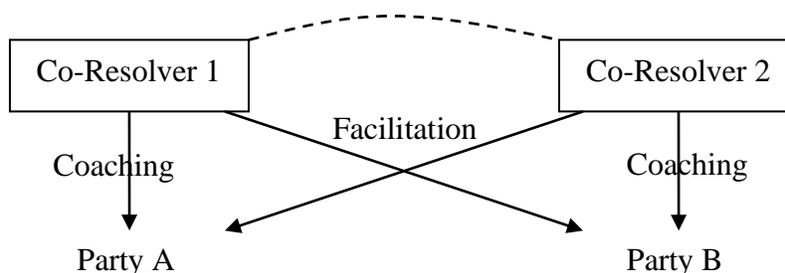


Co-Resolution

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Standard Mediation uses an impartial third party to facilitate negotiation between the parties. Mediators have difficulty assisting individual parties because of the constraints of impartiality. **Standard Negotiation** involves independent negotiators. When each side chooses their own negotiator, both sides are motivated to choose tough, non-cooperative advocates.

Co-resolution is a structure in which negotiation-coaches/co-facilitators (“co-resolvers”) continually work together under a single dispute resolution service. Each co-resolver coaches one party and conciliates the opposing party. This process thereby produces the same facilitation benefits of mediation while adding the personal assistance of cooperative negotiators/coaches.



This partisan role is controlled by the co-resolvers’ working relationship

- **Cooperation:** Though the co-resolvers support opposing parties, they must negotiate against each other in future cases. So, because competitive negotiation tactics would endanger their continuing relationship, both co-resolvers must fully promote cooperation.
- **Loyalty:** Each co-resolver must focus support on their respective party because either party can unilaterally terminate the entire process if they feel uncomfortable or bullied.

Thus, each co-resolver will be loyal to their party under present incentives but be cooperative and amicable to the other side under future incentives. Because each party will benefit from the advice of their coach, both parties ensured that it is in the best interest of the other to cooperate.

In this structure, balance replaces impartiality as the source of neutrality

- In the interest of their relationship, neither co-resolver will overpower the other side or act unfairly. This level of thoughtful balance keeps the process neutral.

Co-resolvers can use basic interest-based negotiation and mediation techniques

- Co-Resolver 1 coaches Party A to express ideas in a way that connects with Party B.
- Co-Resolver 2 urges Party A to focus on underlying interests and consider solutions.

Notes on the co-resolution structure

- **Benefits:** Each party gets professional support and coaching from a mediation-trained negotiator AND faces a fair and cooperative negotiator on the other side.
- **Application:** In practice, when advocates negotiate repeatedly against each other, their interactions are amicable and cooperative. While this dynamic has arisen informally, no ADR process has offered opposing negotiators who have a built-in, ongoing relationship.
- **Internal Regulation:** No other negotiation-based process provides a structure that can regulate participant behavior, counteracting the Negotiator’s Dilemma.
- **Results:** In a two-year pilot project, participants rated satisfaction with their own co-resolver at 4.8/5.0 and satisfaction with the opposing co-resolver at 4.6/5.0, indicating that the co-resolvers are able to be effective, yet non-adversarial, negotiators/coaches.