



## **Key Takeaways**

### **Looping the Dynamic - Deep Dive**

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#### **Goals**

1. How to escape the conflict trap when parties are bound up in their dynamic
2. Change the dynamics when the parties' energy and passion are embraced and redirected to working separately with conflict professional
3. Strengthen the party's autonomy by creating the structure for each to have the space to express their own views
4. Understanding starts with separating out and bringing clarity to each party's views

#### **Step-by-Step Instructions**

1. Ask – ‘Can I make an observation about something I am noticing?’
2. Wait for parties to agree
3. I am noticing that . . . e.g.,
  - a. ‘when you (party 1) speak, that you (party 2 interrupt) and vice versa’ (or ‘when you (party 1) are upset, then you (party 2) shuts down’)
  - b. ‘each of you clearly has something very important to say but that you’re having a hard time not interrupting each other’ (or ‘it is difficult for you (party 2) to say what is important to you when you (party 1) expresses your opinion with passion’)
4. Ask each party - Did I get it right? Did I get it right?
5. “And this really makes you mad/frustrated, etc. (loop the emotion) and this makes you mad/frustrated/feel hopeless? “ (loop the emotion of the other)
6. Check the loop
  - a. Do you recognize the dynamic?
  - b. “Does it work for you? For you?”

7. Do you want to change this dynamic?
8. Why?
9. Would you like me to try and help you change that dynamic?
10. If yes: why would you like to change the dynamic? LOOP their answers. Go for motivation just like during first session when they answer “why do you want to mediate?”
11. Brainstorm options + Propose solutions:

Do you want me to be the timekeeper?

Do you want me to remind you that you have agreed not to interrupt?

Do you want to agree that each of you will speak only to me?

Contract on the HOW, i.e., how are we going to mediate

My hope is that by each of you talking to me separately but in the presence of the other, you will be able to communicate better.

I see a deep caring about this issue by each of you. I also need you to know that when I am listening to one of you, I am not making decisions so there is no need to convince me. I am just seeking to understand BOTH of you.

12. Do you have any concerns about the agreement that you have made about HOW to talk in this mediation?

13. What happens if the dynamic reappears?



*HINT: Do not get pulled into the details of the conflict. Ex: if they say “yes, but I still want visitation every weekend and unless I get that... : say “We will go back to that later but right now, we are talking about HOW you will both talk in this mediation, is that OK with you?” Stay at the level of the dynamic.*