

Mediator Insights: The Power of Flexible Thinking

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In any dispute, there is often a wide disparity between what each side wants and what either side may realistically get. One of the critical components in bridging the resolution divide is flexible thinking.

Flexible thinking means the ability to adapt and adjust as the facts, the law, and the emotions play out. Flexible thinking allows one party to accept that the facts are not as clear-cut as they believed. Or another party to recognize that the law has greater uncertainty than expected. Or maybe both parties need to acknowledge the existence of practical constraints on possible settlement options.

Flexible thinking leads to receptivity to resolution.

To illustrate flexible thinking outside of the mediation context, let's consider Lisa McCourt's *I Love You, Stinky Face*.

Mama is reading a bedtime story to her child. When she finishes, she says "I love you, my wonderful child." The child responds with a series of questions exploring her love.

But what if I were a smelly skunk and my name was Stinky Face? Mama says she'd give the skunk a bubble bath and whisper "I love you, Stinky Face."

But what if I were an alligator with sharp teeth? Mama says she'd buy a big toothbrush and say "I love you, my dangerous alligator."

But what if I were a horrible meat-eating dinosaur? Mama says she'd make a mountain of hamburgers and say "I love you, my sweet, terrible, dinosaur."

But what if I were a slimy swamp monster? Mama says then I'd live by the swamp to take care of you and tell you "I love you, my slimy swamp monster."



The questions continue until the child is confident in Mama's love. Mama's flexible thinking (and unconditional love) helps her child fall asleep safe in that love.

Outside of the story, in the real world, we too can use flexible thinking to solve problems. With flexible thinking, we can adapt and adjust. With flexible thinking, we become receptive to new ideas, new information, and new options for resolution. Flexible thinking may just pave the path to resolution.

Author's Note: As a mediator, I am a "forever student" always seeking new ways to help people find a path to resolution in mediation. As a parent, I have spent a gazillion hours reading books to my children. Oftentimes, these books teach me new ways to approach conflict resolution. In this case, Lisa McCourt's "I Love You, Stinky Face" inspired this post.

Disclaimer: Nothing contained herein constitutes legal advice nor does anything contained herein create a professional relationship.