



Resolution

Spring 2025

An e-magazine for family mediators across Canada



≡ Welcome ≡

Welcome to the spring edition of *Resolution*, our e-magazine for family mediators across Canada!

Artificial Intelligence (AI) is a hot topic in nearly every field, including mediation. At first glance, AI may seem incompatible with our work, given the inherently human skills we rely on—compassion, empathy, reading body language and other non-verbal cues, picking up on cultural and other subtleties, identifying the undertones of conflict, identifying interests, etc.

However, AI can support mediation by streamlining tasks such as assembling data, organizing documents, and drafting proposals. Thoughtfully applied, it may also help us reach more families, reduce barriers, and enhance the mediation process.

As we explore AI's potential, we must do so with care. Legal and ethical considerations, confidentiality, and human judgement remain paramount.

In this issue, we begin the process of reflection and discussion as to how we might integrate AI responsibly while upholding the core values and standards of our profession. How can technology support—not replace—the expertise mediators bring? What research informs its use? What practical steps can we take?

Join us as we strive to embrace innovation while maintaining the integrity of family mediation.

Rhoda Dobler, K.C.
President of the Board
Family Mediation Canada

In this issue:

Member Spotlight

Upcoming Opportunities

In Focus: AI in Family Mediation

Annotated Bibliography

Questions & Answers

Practice Tips

Resources

Member Spotlight



Rosa Barraco is a family mediator based in Whitehorse, Yukon. She is a member of FMC who is currently in the process of completing her FMC certification. Rosa is also the newest member of FMC's Board of Directors!

Rosa began her mediation training in 2012 and practiced for several years in both Ontario and British Columbia, before relocating to the Yukon. She was drawn to pursue family mediation as a profession because of her natural curiosity and interest in working with people, as well as her natural planning and organizing skills, and how much she enjoys seeing something important come together through collaboration. Since she began practicing as a family mediator, Rosa has been struck by the value of investing sufficient time and energy into the "pre mediation" work including rapport building with clients.

When asked why FMC membership and certification is important, Rosa emphasized the importance of quality training and a supportive community as well as staying updated on trends, and the influence that FMC can have on legislation and policies. Her main advice to new mediators is to seek exposure to emotional situations to better prepare themselves for the demands of the job and the importance of understanding the nuances of communication, especially in a multicultural society.



Upcoming Opportunities

email admin@fmc.ca for more information or to register



Spring Role Play Groups

FMC offers two distinct Role Play Groups for members interested in becoming FMC certified in Family Relations Mediation – Advanced or Comprehensive Family Mediation – Advanced.

These groups aim to facilitate interaction between members, generating knowledge exchange while creating the opportunity for participants to act as mediators in simulated family mediation cases with fictitious scenarios.

Level 1 - begins April 12, 2025
Level 2 - begins April 2, 2025

This is a value-added part of membership; participation is free for current FMC members.



Coffee Time Drop In for Members: AI

In a recent survey, FMC members expressed an interest in more opportunities for connection with other family mediators across Canada. To meet that need, we will be hosting a "Coffee Time" drop in for members several times a year.

Join us for an informal chat about our Spring newsletter topic: AI in Family Mediation.

- Date: Thurs April 24, 2025
- Time:
 - 10 - 1030am PST
 - 1 - 130pm EST
 - 2 - 230pm AST
 - Location: Zoom



Webinar: Moving Forward with Child Protection Mediation across Canada

Join us to learn more about the current state of Child Protection Mediation across Canada. Our goal is to provide an overview of CPM, explain the role and outline how it complements the work of other service providers in the child protection sector. Our broader goal is to inspire more service providers to pursue training and certification in CPM.

- Date: Tues May 13, 2025
- Time:
 - 10 - 11 am PST
 - 1 - 2 pm EST
 - 2 - 3pm AST
 - Location: Zoom



In Focus

AI in Family Mediation as a Human-Centred Hybrid Approach

Artificial intelligence (AI) is transforming various professional fields, including family mediation (Carneiro et al., 2014). As mediators look for ways to enhance efficiency while maintaining the human connection, AI presents a potential opportunity but not without its ethical challenges and limitations. While AI can improve certain aspects of mediation, it also has notable limitations that require careful consideration.

The Benefits of AI in Family Mediation

AI has the potential to enhance family mediation in several key areas. One of the most significant advantages is increased efficiency and reduced costs. AI can automate administrative tasks such as scheduling, document preparation, and case management (Susskind, 2023), allowing mediators to focus on substantive issues rather than procedural ones. By reducing the time spent on these tasks, AI can lower costs for mediators and clients, making mediation more accessible (Karthikeyan, 2025).

Another significant benefit is AI's capability to provide data-driven insights (Zhang et al., 2023). AI algorithms can analyze patterns from previous mediation cases, assisting mediators in anticipating common challenges and proposing evidence-based strategies. Machine learning models can identify trends in disputes and offer recommendations for structuring discussions productively.

AI can also enhance accessibility through online dispute resolution (ODR) platforms (Izzatullo, 2024). Families facing geographical, financial, or scheduling challenges may find AI-powered

chatbots beneficial for initial guidance on mediation options before involving a mediator. These platforms also facilitate asynchronous communication, allowing parties to mediate at their own pace.

AI also has the potential to reduce bias and enhance consistency in mediation processes. AI-driven tools can analyze language patterns in mediation agreements, flagging potential biases, and helping mediators identify areas where adjustments may be necessary to ensure fairness. However, this advantage relies on the quality and neutrality of the data used to train AI systems (Schwartz, 2022).

The Limitations and Risks of AI in Mediation

Despite these benefits, AI also presents several limitations and risks in family mediation. One of the most significant challenges is the lack of human nuance (Bryson & Theodorou, 2019). AI lacks emotional intelligence and the ability to interpret non-verbal cues—both of which are crucial in mediation. Recommendations generated by AI may miss important emotional and cultural contexts, leading to solutions that do not fully address the needs of the parties involved.

Privacy and ethical concerns emerge when integrating AI into mediation (Ahmad, 2024). Mediation involves managing sensitive and confidential information, and AI systems that store or analyze data may heighten the risk of security breaches. Furthermore, dependence on third-party AI platforms raises questions about data ownership and protection.

In Focus continued...

Another challenge is the issue of algorithmic bias (Johnson, 2021). AI models can only be as objective as the data they are trained on, and if historical data reflects systemic biases—such as favoring certain parenting arrangements—AI-generated recommendations may unintentionally reinforce these biases instead of fostering equitable solutions.

Furthermore, excessive reliance on AI in mediation may undermine critical thinking. Mediators might become overly dependent on AI-generated insights, resulting in a misleading sense of objectivity. Effective mediation demands context-sensitive decision-making that AI cannot solely deliver.

The Human-Centred Hybrid Approach: A Balanced Future

Considering the benefits and risks of AI in family mediation, a human-centered hybrid approach seems to be the most promising path forward. This model incorporates AI as a supportive tool instead of a replacement for human mediators. AI can assist with preliminary case analysis, administrative tasks, and information management, enabling mediators to concentrate on high-level decision-making and interpersonal dynamics.

In a hybrid model, mediators use AI-driven insights to complement, rather than replace, their professional judgement. AI can assist in structuring mediation discussions and identifying potential biases, but the final decision-making must remain with trained professionals who apply ethical considerations, cultural sensitivity, and emotional intelligence.

As AI continues to evolve, family mediators must critically evaluate its role in their practice. AI can enhance mediation processes by increasing efficiency, improving accessibility, and enabling data-driven decision-making. However, the core values of mediation—trust, fairness, and human connection—must remain intact. By adopting a human-centered hybrid approach, mediators can leverage AI's strengths while mitigating its risks, ensuring that technology acts as a tool to support, rather than replace, the human touch in dispute resolution.

Michael Saini, PhD, MSW, RSW
Vice President, Family Mediation Canada

References

- Ahmad, A. A. (2024). Utilisation of AI for the Settlement of Disputes through Mediation. *The Critical Review of Social Sciences Studies*, 2(2), 1320-1329.
- Carneiro, D., Novais, P., Andrade, F., Zeleznikow, J., & Neves, J. (2014). Online dispute resolution: an artificial intelligence perspective. *Artificial Intelligence Review*, 41, 211-240.
- Karthikeyan, C. (2025). AI (Artificial Intelligence) for Conflict Resolution and Negotiation: Enhancing Mediation and Collaboration Through Intelligent Technology. In *Navigating Organizational Behavior in the Digital Age With AI* (pp. 21-50). IGI Global Scientific Publishing.
- Izzatullo, R. (2024). ai and online dispute resolution. *World Bulletin of Management and Law*, 32, 63-68.
- Johnson, G. M. (2021). Algorithmic bias: on the implicit biases of social technology. *Synthese*, 198(10), 9941-9961.
- Susskind, D. (2023, January). *Work and meaning in the age of AI*.
- Schwartz, R., Schwartz, R., Vassilev, A., Greene, K., Perine, L., Burt, A., & Hall, P. (2022). Towards a standard for identifying and managing bias in artificial intelligence (Vol. 3, p. 00). US Department of Commerce, National Institute of Standards and Technology.
- Zhang, W., Shi, J., Wang, X., & Wynn, H. (2023). AI-powered decision-making in facilitating insurance claim dispute resolution. *Annals of Operations Research*, 1-30.



Annotated Bibliography

featuring academic articles relevant to use of AI in Family Mediation

Alhasan, T. K. (2025). Integrating AI into arbitration: Balancing efficiency with fairness and legal compliance. *Conflict Resolution Quarterly*. <https://doi.org/10.1002/crq.21470>

Examines the role of AI in arbitration, emphasizing the trade-off between efficiency and legal fairness. The article discusses the challenges of integrating AI-driven decision-making while maintaining transparency and legal compliance. It highlights the necessity of human oversight to prevent algorithmic bias and safeguard due process in dispute resolution.

Gingras, D., & Morrison, J. (2021). Artificial intelligence and family ODR. *Family Court Review*, 59(2), 227-231. <https://doi.org/10.1111/fcre.12569>

Examines the use of AI in family online dispute resolution (ODR), highlighting its benefits in reducing costs and increasing accessibility. The authors raise ethical concerns about algorithmic bias and argue that AI should be used as a support tool rather than a replacement for human mediators in family disputes.

Bellucci, E., Venkatraman, S., & Stranieri, A. (2020). Online dispute resolution in mediating EHR disputes: A case study on the impact of emotional intelligence. *Behaviour & Information Technology*, 39(10), 1124-1139. <https://doi.org/10.1080/0144929X.2019.1645209>

Explores how online dispute resolution (ODR) can incorporate emotional intelligence to improve mediation outcomes. Using electronic health record (EHR) disputes as a case study, the authors demonstrate how AI tools can assist in dispute resolution but caution against AI's inability to replicate human emotional nuance in mediation fully.

Zelevnikow, J. (2021). Negotiation, online dispute resolution, and artificial intelligence. In D. M. Kilgour, & C. Eden (Eds.), *Handbook of group decision and negotiation* (pp. 1125-1147, 1225 Pages). Springer Nature Switzerland AG. https://doi.org/10.1007/978-3-030-49629-6_38

Discusses how AI enhances negotiation processes in online dispute resolution (ODR), emphasizing AI's potential to improve decision-making and reduce conflict. The chapter outlines AI's role in legal negotiation systems and explores ethical considerations, including transparency, accountability, and the need for human intervention in AI-assisted dispute resolution.

Carneiro, D., Novais, P., Andrade, F., Zelevnikow, J., & Neves, J. (2014). Online dispute resolution: An artificial intelligence perspective. *Artificial Intelligence Review*, 41(2), 211-240. <https://doi.org/10.1007/s10462-011-9305-z>

Provides a comprehensive analysis of AI applications in online dispute resolution, detailing various AI techniques such as case-based reasoning and machine learning. The authors discuss the limitations of AI in understanding human emotions and legal nuances, advocating for hybrid models that integrate AI assistance with human expertise.

Zelevnikow, J. (2021). Using artificial intelligence to provide intelligent dispute resolution support. *Group Decision and Negotiation*, 30(4), 789-812. <https://doi.org/10.1007/s10726-021-09734-1>

Explores AI's role in supporting dispute resolution by developing intelligent decision-support systems. The author discusses the challenges of ensuring fairness and preventing bias in AI-driven mediation tools. He advocates for a balanced approach where AI enhances efficiency but does not replace human mediators in complex family law cases.

Questions and Answers

Q: How difficult is it to integrate AI into my mediation practice?

A: *Integrating AI into mediation can differ in complexity based on the tools utilized. Basic AI applications, like scheduling automation and document drafting, are straightforward to implement, while more advanced platforms might require training. Mediators should evaluate their needs and select AI tools that improve efficiency without interfering with their practice.*

Q: Can AI assist with pre-mediation assessments?

A: *Yes, AI can assist with pre-mediation assessments by analyzing intake forms and identifying potential power imbalances, high-conflict dynamics, or concerns related to family violence. However, AI must not replace a mediator's professional judgment in assessing the suitability of a case. It can be a valuable tool but should always be used in conjunction with human discretion.*

Q: How does AI handle cultural differences in mediation?

A: *AI systems are only as effective as the data they are trained on, which means they might not fully consider cultural nuances, family structures, or regional legal differences. Mediators utilizing AI should carefully evaluate whether the technology aligns with the cultural and contextual realities of the families they serve.*

Q: Does AI change how agreements are written and finalized?

A: *AI can help draft agreements by suggesting language from similar cases or legal frameworks. However, mediators must ensure that agreements are tailored to the parties involved. AI-generated agreements should be reviewed for accuracy, fairness, and compliance with legal standards before they are finalized.*

Q: What are the confidentiality risks of using AI in mediation?

A: *Confidentiality is a major concern when using AI tools. Mediators must ensure that any AI platform they use complies with data protection laws and does not store or share sensitive client information without consent. Selecting secure, professional-grade AI tools and informing clients about data privacy measures can help reduce risks.*

Practice Tips

Learning to use AI - The trials and tribulations of the technologically challenged by Willow McLean

Amazing! I think to myself as I scroll through the Zoom platform descriptions of what their AI Companion feature can offer. It will take notes, create meeting summaries, make a searchable transcript, group together comments and discussions on different topics in specific “chapters”, give analytics about how much each person talked/contributed during the meeting, and make a list of action items or next steps. It sounds great!

Those who know me will attest that I am not the most technologically inclined, but even I think the potential of AI is significant and I’m excited to try it.

When I schedule my next virtual mediation on Zoom I check off “automatically start AI companion” and let my clients know I’m using it at the start of our meeting. I feel smug at how technologically advanced I am as the little AI star blinks in the corner of my screen throughout the meeting, letting me know it’s working its magic.

We finish and I end the meeting, eager to see what the AI created. A couple of seconds later a message pops up “Your meeting summary has been added to the group chat”. *Wait, what? Why is it added to the group chat?* I look, and sure enough, there’s the entire summary posted to the chat. The chat my clients are both a part of. I did not intend for my clients to receive an unedited meeting summary. I scan through it and immediately note several inaccuracies. Slightly panicked, I quickly disable the group chat and it says “participants will no longer have access to the group chat”. *Crisis averted*, I think to myself. Seconds later an email pops into my inbox “Your meeting summary is available” and there it is again, the same summary right there in the body of the email. *No No No* I think and wonder if my clients got the same emails...

I swallow my technological pride and quickly call each of my clients and ask, explaining that the summary is unedited and contains inaccuracies. They didn’t get an email and don’t seem bothered about it. Whew. I look for the transcript, there is none. My Zoom settings seem to say the audio recording is automatically on, but it’s nowhere to be found on the platform, so no analytics.

This was my first experience with using AI for mediation. I now realize the process of getting AI Companion to work the way I expect it to is a lot more complex than I originally thought. I searched “AI Companion Help” for answers on the platform and got over 4500 article results. It took me several days, and multiple hours of reading to just figure out all the settings. As I was reading, I got concerned about privacy and where data is stored. I googled whether using cloud storage in Zoom is safe for sensitive information. Everyone seems to disagree. I’ve turned off the audio recording features and cloud storage features. Goodbye searchable transcripts and analytics. I plan to do more research about privacy. After more reading and two practice Zoom meetings with friends I think I’ve managed to get my settings working the way I want them to, but I’ve yet to try it out again with real clients.

Was it worth it?

The AI Companion generated summary of my client meeting was detailed and I was impressed with the automatic neutrality of the language. It also provided a really great list of “action items” or next steps, including some things that I probably would have missed or not thought to include myself. This was great.

However, the summary had multiple inaccuracies. The AI seemed to sometimes assign intention or reasoning to parts of the conversation all on its own. It also occasionally got me (as the mediator) mixed up with my clients, stating that I was married to one of them at one point. The summary was also scrubbed of any suggestion of emotion or emotional moments and I’m not sure if this is a good point or a bad point yet.

Overall, I still see great potential in this particular tool, but it’s also far more complicated than I hoped and I still have concerns about privacy for some of the features.



Resources

If you are interested in learning more about the topic of AI and understanding the impact it will have on mediators and mediation, we have compiled a few resources that may be helpful

Incorporating Technology and AI Into Your Divorce Mediation Practice (Virtual Conference)

On March 19 and 20, this conference will guide divorce mediators step-by-step through the entire divorce mediation process — from AI intake to final agreement — demonstrating how to leverage Artificial Intelligence (AI) and technology to save time and overhead costs.

<https://www.youtube.com/watch?v=zBLS4eaxDbg>

AI and the Future of Mediation (Webinar)

In July 2023, Ontario Association for Family Medication (OAFM) hosted an engaging discussion on the future of mediation with this new technology featuring Dr. Sara Shamdani.

<https://www.youtube.com/watch?v=zBLS4eaxDbg>

AI Mediation: Using AI to Help Mediate Disputes (Blog)

If you are looking for a balanced view of the benefits and risks of using AI in your mediation practice, Katie Shonk's article is also insightful and useful for those that are more visual learners.

<https://www.pon.harvard.edu/daily/mediation/ai-meditation-using-ai-to-help-mediate-disputes/>

Mediation and AI: The Silent Revolution (Article & Podcast)

This article provides a comprehensive and detailed analysis of how AI can enhance mediation practice, including practical applications and potential challenges. It covers a broad range of topics, making it a valuable resource for deepening your understanding of AI's role in mediation.

<https://mediate.com/mediation-and-ai-the-silent-revolution/>

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Editor
Michael Saini, PhD

Contributing Editors
Annalise Stenekes
Julie Thériault
Scott Cruickshank
Willow McLean

Published by
Family Mediation Canada

Email: admin@fmc.ca
Telephone: 1-877-269-2970

Mailing address:
#1650, 246 Stewart Green SW
Calgary, AB T3H 3C8

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Thank you for reading!