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**THE ART OF ROLE PLAY  
IN DISPUTE RESOLUTION  
TRAINING BOOK REVIEW**

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Shadow of the Law Publications

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**ABSTRACT**

A legend of Online Dispute Resolution reviews Marc Bhalla's book on the use of role play exercises in dispute resolution training.

## ABOUT THE AUTHOR

Colin Rule is President and CEO of Mediate.com. In 2011 Colin co-founded Modria.com, an Online Dispute Resolution (ODR) provider based in Silicon Valley, which was acquired by Tyler Technologies in 2017. From 2017 to 2020 Colin served as Vice President of ODR at Tyler. From 2003 to 2011 Colin was Director of Online Dispute Resolution for eBay and PayPal. He has worked in the dispute resolution field for more than 25 years as a mediator, trainer, and consultant. He is currently Co-Chair of the Advisory Board of the National Center for Technology and Dispute Resolution at UMass-Amherst and a Non-Resident Fellow at the Gould Center for Conflict Resolution at Stanford Law School.

Colin co-founded Online Resolution, one of the first online dispute resolution (ODR) providers, in 1999 and served as its CEO and President. In 2002 Colin co-founded the Online Public Disputes Project which applied ODR to multiparty, public disputes. Colin also worked for several years with the National Institute for Dispute Resolution (now ACR) in Washington, D.C. and the Consensus Building Institute in Cambridge, MA.

Colin has presented and trained around the world for organizations including the Singapore Mediation Center, the Federal Mediation and Conciliation Service, the International Association of Court Administrators, the International Chamber of Commerce, and the CPR Institute for Dispute Resolution. He has also lectured and taught at UMass-Amherst, Harvard, Yale, Stanford, Pepperdine, Southern Methodist University, and Santa Clara University.

Colin is the author of *Online Dispute Resolution for Business*, published by Jossey-Bass in September 2002, and co-author of *The New Handshake: Online Dispute Resolution and the Future of Consumer Protection*, published by the ABA in 2017, as well as many dozens of articles in ADR journals and publications. He serves on the boards of the Consensus Building Institute and the PeaceTech Lab at the United States Institute of Peace. Colin received the *Frank Sander Award* from the American Bar Association in 2019 and the *Mary Parker Follett Award* from the Association for Conflict Resolution in 2013. He holds a Master's degree from Harvard University's Kennedy School of Government in conflict resolution and technology, a graduate certificate in dispute resolution from UMass-Boston, a B.A. from Haverford College, and he served as a Peace Corps volunteer in Eritrea from 1995-1997.

## BOOK REVIEW

Marc Bhalla, *The Art of Role Play in Dispute Resolution Training: A Practical Guide for Instructors with Insights for Students* (Canada: Shadow of the Law Publications, 2020).

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I remember the role play from my first mediation training back in the late 1980s. I can recall sitting in the middle of a ring of chairs with two other volunteers, feeling nervous and self-conscious. I remember being worried I would mess up, and challenged by the material, and eventually (once it was over) quite proud of myself. It was exciting to take the concepts the trainer had given us and to try to put them into actual use. But I also think I remember that role play because I enjoyed it. Sure, it was interesting to talk about mediation in the abstract and to learn best practices and tips from experienced mediators, but nothing replaces the visceral experience of getting dropped into a simulation and trying out new skills first hand. That role play made an impression that's still with me, thirty years later.

That's one of the reasons why I was interested to check out the new book *The Art of Roleplay in Dispute Resolution Training: a Practical Guide for Instructors with Insights for Students* by Marc Bhalla (160 pages, Shadow of the Law Publications, 2020). Marc Bhalla is an experienced mediator, arbitrator, and trainer based in Toronto, Canada. He did his graduate work in dispute resolution at Osgoode Law School and the University of Windsor, and over the years he has published more than 100 articles in dispute resolution. He is an in-demand trainer across Canada, particularly in the area of condominium dispute resolution (to wit: he is the only dispute resolution practitioner to be honored with the distinguished service award by the Canadian Condominium Institute).

As soon as I opened the book it was obvious from the first page that the author is a big fan of roleplays. As he says in the Introduction, "There is something about experiencing what it is like to have a different perspective that is not only enjoyable but also enormously enlightening." There is a reason why negotiation classes are often the most oversubscribed and highly rated classes in law schools: role plays. Role plays introduce students to realistic situations, enabling them to find space for exploration, creativity, and integrative problem solving. Plus, when done well, they're a heck of a lot of fun.

The book is organized into two parts. Part One talks about the structure of a roleplay, how to prepare and ensure the participants are comfortable, and how to create a safe environment for participants to really engage with a role. The author details some memorable experiences from his use of real plays and even eloquently lays out the arguments against using role plays (e.g. overuse and artificiality). He talks about role play disasters he experienced, such as ethical lines crossed, a lack of cultural fluency, or surprise role plays that didn't work out the way the instructor intended. Then he focuses on practical advice around how to develop and run effective role plays that are relatable and understandable, creating effective groupings, and enabling participants to bow out of an exercise if they so prefer. He provides a set of presentation keys for instructors with advice about how to distribute roleplay instructions, setting up the room, scheduling an appropriate amount of time, and helping participants make a role play their own. He then also covers how to debrief role plays for maximum effect, including time for feedback and reflection, using good questions to get at the substance while making sure that everyone enjoyed the exercise.

Part Two presents the actual scenarios, including role plays called The Tickets, The Icebreaker, The Contract, The Intervention, The Business Deal, and Complicated. Each roleplay is followed up with an analysis section that helps to deepen learnings from the preceding scenario.

The included role play fact patterns are very well thought through, with confidential instructions for both mediators and participants. The role plays also do not depend upon knowledge of or experience with the law for participants to get any benefit.

The author explains that effective role plays provide the 3 R's: they resonate with students, they are perceived as realistic, and they are considered relevant. The author also has a section on conducting role plays virtually, which is increasingly necessitated these days by the global pandemic.

It is very clear that the author has extensive experience in using role plays as a teaching tool, and this book enables others to benefit from the author's hard-earned wisdom, increasing the likelihood that role plays will be effective and enjoyable. I'd also note that I usually skip over the endnotes in a book, but this one has an extensive set of endnotes that offer not only citations and further reading, but also interesting (and entertaining) additional observations and anecdotes that further help to contextualize the practice tips shared.



You can present theoretical information in a lecture format all you like, but when students are put into the real world scenario of a role play they have a chance to experience the challenge of turning knowledge into action themselves. The benefits of experiential education are well documented, and only practice can introduce a student to the improvisational nature of real world mediation. Debriefing role plays can also reinforce and expand upon the takeaways from the experience, helping to deepen the learning and make a stronger impression. As the author puts it, “I believe that enjoyment is key for a role play to be an effective educational tool. When students enjoy taking part in exercises, they’re more likely to retain what they learn.”

It is also true that role plays are a great way to meet your fellow trainees. I’ve seen rooms full of silent strangers open up and start laughing as a result of a good role play. I’ve even had classes where participants will continue negotiating in their roles even after the role play is over and the debrief completed -- they’re still trying to figure out the best resolution even after we’ve broken for lunch and moved on to the next topic.

Mediation trainers and educators will find this book to be very valuable because it offers a wide variety of scenarios that have been well thought through and optimized for exposing participants to key skills of mediation. I personally have spent long hours over a keyboard the night before a training endeavouring to craft a fact pattern that will be engaging but not too difficult, challenging but not impossible, and provocative but not upsetting. It is great to have a book filled with tested scenarios at the ready so you don’t have to craft them yourself without knowing how they’ll go over with actual participants.

I recommend this book to any trainers who are looking to optimize the use of role plays in their mediation trainings. It is the most thorough volume I have encountered that addresses all the key considerations, including potential challenges and pitfalls, while offering practical feedback (grounded in actual experience) for ensuring your role plays will be successful.

#### Attribution

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