



The Right Ear / Left Ear Framework

A Comprehensive Guide to Dual Listening in Mediation Practice

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This guide documents a listening framework taught by Douglas A. Thompson, Adjunct Faculty, UMass Boston Graduate Programs in Dispute Resolution. Written and designed by George Boakye Yiadom. All classroom material is cited to Thompson's 2026 lectures; published models are cited to their authors in the references.

Contents

- | | |
|--|--|
| 1 What the Framework Is | 8 Connection to Mediation Theories |
| 2 The Two Ears Defined | 9 Diagnostic Listening: Substance, Emotion, and Process |
| 3 Ear Dominance and Professional Background | 10 Practical Application: Self Assessment and Skill Building |
| 4 The Framework Across the Mediation Stages | 11 The Framework in Intake and Case Coordination |
| 5 Caucus as a Calibration Tool | 12 Limitations and Ethical Considerations |
| 6 Emotional Engagement: Surfing the Wave | • References |
| 7 The Three Conversations and Dual Listening | |

1 What the Framework Is

The Right Ear / Left Ear framework is a listening model used in mediation training to describe how mediators process two distinct channels of information at the same time during a session. One ear, designated the right ear, tracks factual content: dates, dollar amounts, sequences of events, documents, and stated positions. The other ear, designated the left ear, tracks emotional content: tone of voice, body language, underlying feelings, relational dynamics, and unstated needs.

The framework was taught in the UMass Boston Graduate Program in Dispute Resolution by Douglas A. Thompson, Adjunct Faculty. Thompson presented the concept during a class session on listening skills, stating that the mediator has one ear tuned for facts and another ear tuned for feelings, and few mediators have both ears equally well tuned. Thompson noted that a mediator's prior professional training tends to create a dominant ear. A trained therapist is likely to have a stronger emotional ear and may underweight the analytical content. A person trained in a scientific or legal discipline is likely to have a stronger factual ear and may need to work harder to pick up emotional signals (Thompson, class lecture, UMass Boston, January 2026).

The framework is not a proprietary theory attributed to a single author. It is a practitioner's model that reflects ideas found across the mediation and conflict resolution literature, including the work of Bernard Mayer on mediating at the right level of depth, the Three Conversations model from Stone, Patton, and Heen's *Difficult Conversations*, and the transformative mediation framework of Bush and Folger. What the Right Ear / Left Ear framework does is give mediators a concrete, physical metaphor for a cognitive task that is otherwise abstract: the simultaneous processing of factual claims and emotional signals during live interaction.

"Few of us have equally well tuned ears."

DOUGLAS A. THOMPSON

2 The Two Ears Defined

RIGHT EAR FACTUAL CONTENT

- Dates and timelines
- Dollar amounts and quantities
- Documents and evidence
- Stated positions
- Sequences of events
- Third parties and witnesses
- Legal or procedural references

LEFT EAR EMOTIONAL CONTENT

- Named emotions (fear, hurt, betrayal)
- Behavioral signals (tone, posture)
- Physical stress responses
- Relational signals (trust, loyalty)
- Identity concerns
- Power dynamics
- What is underneath the anger

The right ear is the channel that produces an accurate case summary. If a mediator were asked to write a factual synopsis after the storytelling phase, the right ear would supply the material. In court mediation settings, the right ear is especially active during intake, when the case coordinator is documenting the nature of the dispute, the parties involved, and the relief being sought.

The left ear tells the mediator what is really going on. A party may say the dispute is about \$500 in unpaid rent, but the left ear may detect that the real driver is a sense of betrayal by someone they trusted. Without the left ear, the mediator addresses only the surface. With it, the mediator can work at what Mayer calls the right level of depth.

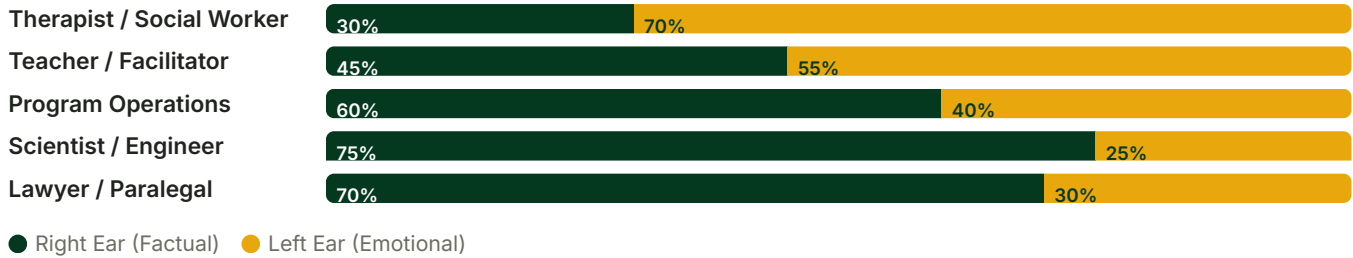
Thompson taught that anger in mediation is often a surface emotion. The mediator's task is to peel the onion and identify what is underneath: fear, hurt, betrayal, disappointment, or resentment (Thompson, class lecture, January 2026).

3 Ear Dominance and Professional Background

Thompson's central observation is that few mediators have both ears equally well tuned. Professional training creates a bias. Thompson described his own experience: coming from a scientific background as a biologist, he found it easier to pick up on facts and had to train himself over time to hear emotional content more clearly (Thompson, class lecture, January 2026).

The same principle operates in reverse. A trained therapist or social worker is likely to have a well developed left ear and may instinctively prioritize emotional signals while underweighting the factual content. A lawyer may track legal positions and evidentiary details but miss emotional dynamics. Ear dominance is not a deficiency. It is a starting point. The framework's practical value is that it gives the mediator a diagnostic tool for self assessment. By identifying which ear is dominant, the mediator can deliberately work to strengthen the weaker channel. This is a trainable skill, not a fixed trait.

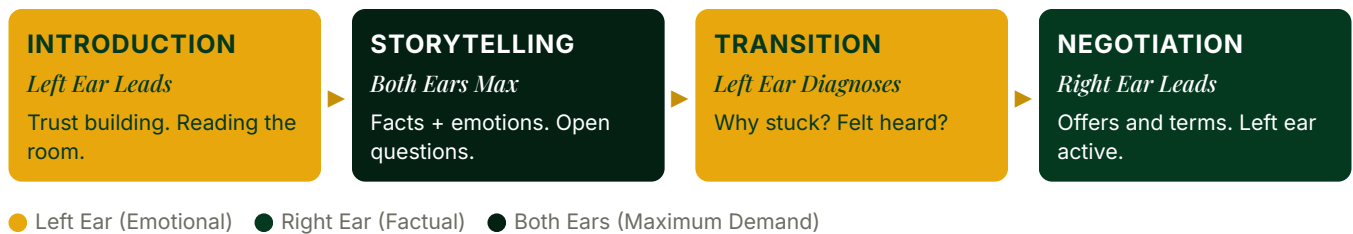
Ear Dominance by Professional Background



Note: Percentages are illustrative estimates based on Thompson's teaching about how professional background influences listening tendencies. They are not drawn from empirical measurement.

4 The Framework Across the Mediation Stages

The mediation process follows a structured sequence: introduction, storytelling, transition, and negotiation/problem solving (Thompson, Mediation Guide). The Right Ear / Left Ear framework operates differently at each stage. The demands on each ear shift as the session progresses.



4.1 Introduction Stage

During the introduction, the mediator establishes trust, explains the process, and sets the tone. The left ear is the lead channel. The mediator is reading the room: Are the parties tense. Are they making eye contact. Is one party visibly agitated while the other is calm. Is there a power imbalance that needs addressing early. The right ear has a secondary role, noting factual details from the case file.

4.2 Storytelling Stage

Storytelling is where both ears are under maximum demand. Each party tells their version. The right ear tracks the facts: what happened, when, how much, who was involved. The left ear tracks how the party feels about what happened and what those feelings reveal about underlying interests. Thompson taught that most parties are eager to tell their story. Open ended questions help cast a wide net. The mediator does not know the answers in advance, which is the opposite of trial advocacy (Thompson, class lecture, January 2026).

A common error is shutting down emotional content prematurely. Thompson described the temptation: when parties are angry, the mediator may want to redirect to the issue. That approach is rarely effective because the frontal cortex is hijacked by the amygdala. The party cannot set aside their feelings on command. The mediator must engage with the emotion rather than bypass it.

4.3 Transition Stage

The transition from storytelling to problem solving is often the hardest phase. Thompson compared it to the transition phase of childbirth. Parties may be stuck on the spin cycle, repeating their stories. The left ear diagnoses why the transition is stalled: Have they been heard. Do they feel understood. The right ear assesses

whether unresolved factual disputes are blocking progress. Thompson taught the fork in the road speech for this stage, naming the choice between continued persuasion and exploring resolution despite disagreement. This requires both ears: the right ear to describe the factual impasse, the left ear to gauge emotional readiness.

4.4 Negotiation and Problem Solving Stage

Once parties move into active negotiation, the right ear takes a larger role. Offers involve numbers, terms, and timelines. The left ear remains active: a party may accept a figure but feel humiliated, or reject a reasonable offer because of unresolved anger. Thompson taught the aspirational question at this stage: "If this went really well for you, what would the agreement look like?" This activates both ears. The right ear captures the substance. The left ear captures priorities, fears, and sense of fairness.

5 Caucus as a Calibration Tool

Caucus, or private session, allows the mediator to meet with each party separately. Within the Right Ear / Left Ear framework, caucus functions as a calibration mechanism. In joint session, both ears process input from two parties simultaneously. Caucus reduces cognitive load by isolating one party's factual and emotional content at a time.

LEFT EAR DETECTS

- Party emotionally escalating
- Withholding due to fear
- Power imbalance blocking speech

RIGHT EAR DETECTS

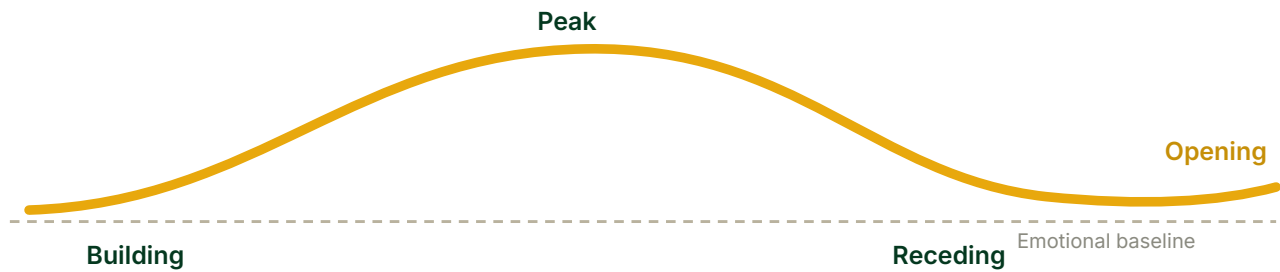
- Factual gaps unexplained
- Party referencing other litigation
- Information held back strategically

CAUCUS

Thompson described a case from the practicum in which a party would not disclose what items were missing from a locker because of concerns about parallel litigation. In caucus, the mediator could explore the reluctance confidentially. Thompson taught a pragmatic position: caucus when it helps, do not caucus reflexively as a formula. The Friedman and Himmelstein understanding based approach generally opposes routine caucusing, arguing it separates parties from each other's perspectives. Thompson's position was more flexible: the indicators for caucus include emotional escalation that blocks progress, information withholding due to fear, and the need for private processing of a difficult decision (Thompson, class lecture, 2026).

6 Emotional Engagement: Surfing the Wave

Thompson used the metaphor of emotion as a wave. The mediator's job is not to run away from the wave, not to stand against it, but to surf it. This means letting the emotional energy move through the session without either suppressing it or letting it take over (Thompson, class lecture, January 2026).



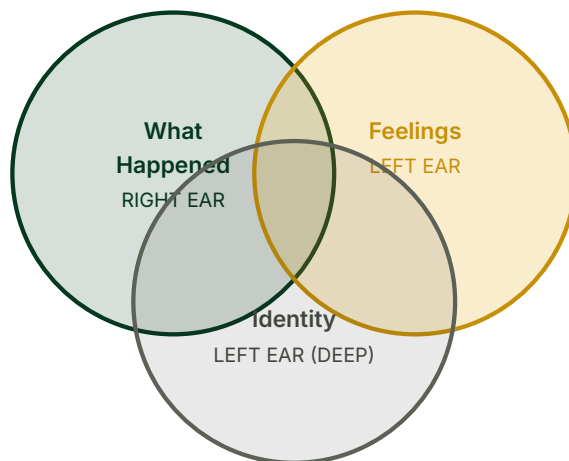
Do not suppress. Do not resist. Ride the wave. Wait for the opening.

This metaphor maps directly onto the left ear. The left ear hears the wave building: a party's voice rises, their language intensifies, their body language tightens. The left ear tracks the peak: the party is fully expressing their frustration, anger, or grief. And the left ear signals when the wave recedes: the party has said what they needed to say, and there is a moment of openness.

Surfing the wave requires resisting the instinct to intervene too early. Thompson described the concept of the successful failure: parties try to persuade each other, fail, and then recognize that persuasion is not going to work. Only after that recognition are they ready to move into problem solving. If the mediator cuts off the attempt too early, the parties keep circling back. The right ear plays a supporting role during emotional engagement, noting new factual information that may emerge during emotional expression.

7 The Three Conversations and Dual Listening

Stone, Patton, and Heen's Difficult Conversations framework identifies three distinct conversations occurring simultaneously in any difficult interaction: the What Happened conversation, the Feelings conversation, and the Identity conversation. Thompson referenced this framework in class as a complement to the Right Ear / Left Ear model.



Based on Stone, Patton, and Heen, Difficult Conversations (1999).

The What Happened conversation maps primarily to the right ear. Parties dispute facts: who did what, when, and why. The Feelings conversation maps to the left ear. Parties experience emotions they often have not named or acknowledged. The Identity conversation operates at a deeper level. It asks: What does this conflict say about me as a person. Am I competent. Am I a good parent. Am I being treated fairly. Identity concerns

surface as stubbornness, rigidity, or emotional intensity disproportionate to the stated dispute. They require a well trained left ear because parties rarely announce them. Combined, the three conversations and the two ears give the mediator a complete map of what is happening.

8 Connection to Mediation Theories

8.1 Bernie Mayer: Depth of Engagement

Bernard Mayer's framework emphasizes mediating at the right level of depth. Sometimes the dispute is surface level: a car was not repaired correctly. Other times, the surface dispute is a surrogate for something deeper: the dispute is nominally about \$500 but really about feeling disrespected. The Right Ear / Left Ear framework provides the mechanism for identifying which level of depth is needed. The right ear captures the surface. The left ear detects whether something deeper is present. Mayer also observes that mediation works when it helps people move forward and fails only when it improves nothing. Moving forward on substance requires right ear work. Moving forward on the emotional dimension requires left ear work.

8.2 Bush and Folger: Transformative Mediation

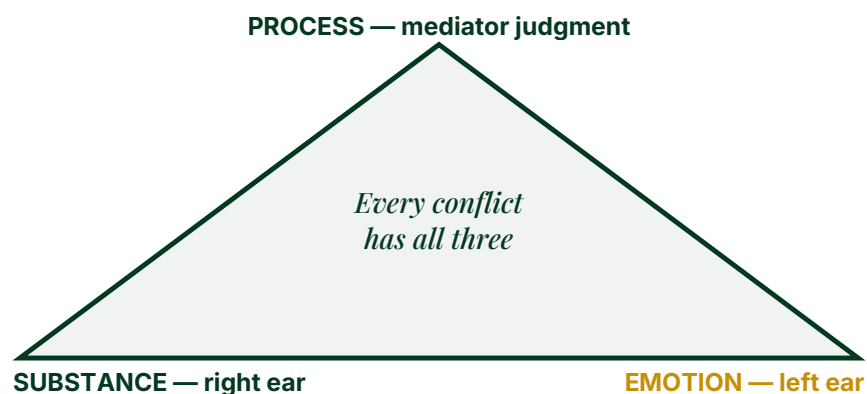
Bush and Folger's transformative model centers on empowerment and recognition. Empowerment means helping parties gain clarity about their goals, options, and resources. Recognition means helping parties acknowledge each other's perspectives. The Right Ear / Left Ear framework supports both. Empowerment requires the right ear to help parties organize facts and see options. Recognition requires the left ear to help parties access and express their emotional experience. Bush and Folger present four narratives about mediation: the satisfaction story, the social justice story, the oppression story, and the transformation story. The framework aligns most directly with the transformation story because it treats emotional content as information to be heard, not an obstacle to be managed.

8.3 Friedman and Himmelstein: Understanding Based Approach

Friedman and Himmelstein emphasize the power of understanding, party responsibility, and going under the conflict. Going under the conflict is a left ear operation. The mediator listens for what is beneath stated positions and helps parties articulate interests, fears, and concerns they may not have consciously identified. Their four key principles, as discussed in Thompson's class, are: the power of understanding, party responsibility, working together, and going under the conflict. Each requires a mediator listening with both ears.

9 Diagnostic Listening: Substance, Emotion, and Process

Thompson taught that every conflict has three dimensions almost always present: substance, emotion, and process. The mediator must track all three simultaneously.



Substance is the domain of the right ear: what the dispute is about in concrete terms. Emotion is the domain of the left ear: how the parties feel about the dispute and about each other. Process is the domain of the mediator's judgment: how to structure the session, when to intervene, when to caucus, when to push for a decision. Process decisions are informed by both ears. The right ear tells the mediator whether factual issues are being addressed. The left ear tells the mediator whether emotional issues are being addressed. Together, they inform the mediator's process choices.

10 Practical Application: Self Assessment and Skill Building

The framework's first practical step is self assessment. Every mediator should ask: Which ear is my dominant ear, and which ear needs development.

RIGHT EAR SELF ASSESSMENT

- ✓ Can I summarize the facts accurately after a session?
- ✓ Do I note documents parties reference?
- ✓ Do I track specific terms of offers?
- ✓ Can I distinguish factual disagreement from interpretation?

LEFT EAR SELF ASSESSMENT

- ✓ Can I name each party's primary emotions?
- ✓ Did I notice body language and stress signals?
- ✓ Did I detect power imbalances or trust deficits?
- ✓ When a party repeated themselves, did I ask: felt unheard?

Skill building for the weaker ear involves deliberate practice. For the right ear: structured note taking during sessions, reviewing case files before mediation, debriefing with a co mediator focused on factual accuracy. For the left ear: practicing empathetic listening outside of mediation, studying emotional vocabulary, working in contexts requiring attunement to group affect such as restorative justice circles or facilitation.

Skill building begins with identifying your dominant ear, then deliberately strengthening the weaker one through practice.

11 The Framework in Intake and Case Coordination

The Right Ear / Left Ear framework applies beyond the mediation table. In a case coordination role, dual listening is active from the first phone call.

During intake, the coordinator must capture both the substance of the dispute and the emotional state of the caller. The right ear documents the nature of the conflict, the parties involved, the relief sought, and any relevant history or pending legal matters. The left ear assesses whether the caller is in distress, whether there are safety concerns, whether the emotional temperature of the dispute is likely to make mediation difficult, and whether the caller feels heard by the process itself.

Intake is the first contact a party has with the mediation center. If the coordinator only uses the right ear, the intake is efficient but cold. The party may feel processed rather than heard. If the coordinator only uses the left ear, the intake may be empathetic but incomplete, missing critical details the mediator will need later.

A coordinator trained in the framework can do both. This dual capacity also informs downstream decisions: case assignment (matching a case to mediators whose ear strengths align with the case's demands), scheduling (allowing enough time for cases with high emotional content), and follow up (knowing which cases may need additional support after mediation).

12 Limitations and Ethical Considerations

The Right Ear / Left Ear framework is a practitioner's model, not a peer reviewed theory. It simplifies a complex cognitive process into a metaphor. Real listening is not neatly divided into two channels. Factual and emotional content are intertwined. A party's tone when they state a dollar amount carries emotional information. A party's tears may contain factual disclosures. The framework is useful as a training tool and a self assessment device, but it should not be treated as a rigid classification system.

The framework raises ethical questions about mediator neutrality. If the left ear detects that one party is experiencing fear or intimidation, the mediator must decide how to respond without compromising impartiality. Mayer's framework addresses this by emphasizing that the mediator's role is to create conditions for fair engagement, not to advocate for one party.

Thompson taught that cognitive biases affect both parties and mediators. The mediator's left ear is susceptible to confirmation bias (hearing the emotion expected), anchoring (being overly influenced by the first party's expression), and empathy fatigue (losing sensitivity over time or across cases). Awareness of these biases is part of the framework's self assessment component.

The framework does not replace the need for mindfulness and presence. Thompson discussed mindfulness as one avenue toward being fully present for the parties. The framework is a listening structure. Mindfulness is the practice of staying attentive within that structure. The two are complementary.

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