

## Active Listening/Facilitation “Beach Ball” Activity

Created by Gowri Krishna

**Objective:** To teach about and provide students with an opportunity to practice techniques for active listening and meeting facilitation.

### Suggested Readings:

John Barkai, [How to Develop the Skill of Active Listening](#), 30 Practical Lawyer 73 (1984).

Alicia Alvarez & Paul R. Tremblay, Ch. 9 Working in Communities, in Introduction to Transactional Lawyering Practice 2nd Ed. (West 2022).

**Activity:** The techniques below are broken into (A) active listening techniques and (B) facilitation techniques. You can conduct the activity in various ways, depending on your priorities and objectives to focus on active listening or facilitation.

Prior to class, inflate a beach ball, and use a marker to write a different technique on each color (there are 6 panels on a standard beach ball). During class, discuss each technique below. You can provide a handout with the techniques or project/write them.

*Active listening version:* In this version of the exercise, students will practice active listening techniques. Tell the students that you will be playing the role of a hypothetical client, and that they are conducting an interview/meeting with you. You start by throwing the beach ball to a student. Wherever their left thumb lands is the active listening technique they are to use. That student will start off by asking you a question, you answer the question, the student reflects using the active listening technique their thumb landed on, they ask you another question, and they throw the ball to another student. Assure them that if they are actively listening and present, questions will come naturally—they should be curious—and not stress about what question they will ask next. The student that catches the ball listens to your response, reflects using the technique their thumb landed on, asks another question, throws the ball to a different student, and so on until you reach your desired time for the end of the activity. Debrief the exercise, asking how they felt about the techniques, what felt easy, what was difficult, whether or not they found it challenging to be present/actively listen and what obstacles got in their way if so.

*Facilitation version:* In this version, students will practice facilitation techniques. Your objective here is to have students engage in discussion. We’ve found that giving them a

decision to make is a good way to get them engaged. The decision can be something along the lines of—decide together how we will spend 2 minutes doing an activity together such as a guided meditation or a dance party. Then have students engage in discussion and throw the beach ball around from time to time with the person catching the ball using the facilitation technique that comes up.

## **Techniques:**

### **A. Active Listening Techniques**

**Reflection**—a response that restates the feelings and words of the speaker in order to: allow the speaker to hear their own thoughts and to focus on what they say and feel; show the speaker that you are trying to understand their messages; encourage them to continue talking.

**Mirroring**--Simple form of reflection; involves repeating words said almost exactly; usually enough just to repeat key words; downside – this can become irritating and therefore a distraction from the message if you overdo it; caveat – be careful with doing this; can come across as phony or that you're trying to use a communication technique; these are all a bit of a mixed bag. Experiment and see what works for you for any given situation.

**Paraphrasing**--Restating what the speaker said in your own words; do not introduce your own ideas or question the speaker's thoughts, feelings or answers – your response should be non-directive and non-judgmental; if you get it wrong, likely the client will correct – that's fine and good—take that information

**Summarizing**--Accurately and briefly summarizing the intent of the message, “the main ideas are...”

**Emotional labeling**—hand out: [The Center for Nonviolent Communication Feelings Inventory](#)

Why do we care about emotions? We are lawyers, not therapists. Facts and emotions are intertwined. Your clients' matters or problems have both factual *and emotional* dimensions

### **B. Facilitation Techniques<sup>1</sup>**

---

<sup>1</sup> Derived from Introduction to Transactional Lawyering Practice 2nd Ed. (West 2022), by Alicia Alvarez and Paul R. Tremblay.

**Drawing Out**--Ask open-ended, clarifying questions; “say more” “tell me more” “what do you mean by...?” “what matters to you about...?”

**Validating**--Legitimizes and accepts a speaker’s opinion or feeling without agreeing that the opinion is correct or agreeing with the rationale for the feeling; paraphrase, draw out the person’s opinion or feeling, assess whether the speaker needs support, offer support; “I see what you are saying” “I get why this matters to you” “Now I see where you are coming from”

**Empathy**--Putting oneself in another person’s shoes and looking through their eyes; identify with and share the actual feeling; name what you think the person is experiencing; speculate on future impacts, identify concerns about communicating the feelings to others, mention factors that led to the person’s experience; ask for confirmation from the speaker and encourage her to correct your perception

**Balancing**--Provides support for persons who may not feel safe in expressing a minority position; “are there other ways of looking at this issue” “we have heard where many people stand. Does anyone else have a different position?”

**Making space for quiet people**--Keep eye out; looking for body language or facial expressions; “was there a thought you wanted to express” “did you want to add anything”

**Structured go-around**--give everyone a chance to speak; encouraging; art of creating an opening for people to participate without putting anyone on the spot; “who else has an idea” “what do others think” “are there comments from anyone who has not spoken in a while”

**Using silence**--Pause lasting a few seconds; give time to organize thoughts; recognize an important moment such as a statement of passion or vulnerability, thus giving the group time to reflect and make sense of the experience; hold up a hand in pause, or ask others to take a moment to think

**Gathering ideas**--Give time to collect ideas on a topic; suspend judgment; physical gestures, move around the room – generate energy; stacking; get hands, generate list, order of speakers

**Tracking**--Keep track of various lines of thought going on

**Linking**--Ask speaker to explain the relevance of the statement she just made; paraphrase the statement, ask the speaker to link the idea to the topic being discussed, paraphrase and validate the speaker's explanation, either draw out the speaker's idea, balance, encourage other reactions, return to the stack or place idea in garden

**Summarizing**--Consolidate thinking, internalize the main themes and points, feel supported, sense of accomplishment