

Parents Guide to Mediation

When parents come before the court with a complaint for divorce, the court mandates the submission of a "parenting plan". Mediation is often used to develop such a plan. Mediation is a process in which parents that are in conflict come together with a neutral third person who assists them in reaching a mutually agreeable settlement. The mediator helps parents clarify the issues, consider the options, and reach a workable agreement that fits the needs of their children.

Mediation:

- encourages direct communication between the parents.
- helps parents decide for themselves what is in the best interest of their child/ren.
- explores creative ways to solve problems.
- promotes cooperation.
- provides an informal setting which saves time and lowers the cost of a divorce.
- preserves the strengths of an ongoing relationship as parents.
- is confidential.

The Mediator:

- will remain impartial throughout the process.
- will not give legal advice.
- is not a judge.
- will not decide the dispute.
- will provide each party with a full opportunity to effectively express his or her interests.

Mediation is used by the court to assist parents in developing a Parenting Plan that describes how they will work together to continue parenting their children. During mediation parents have complete decision-making power for their parenting plan. Attorneys for each parent may attend the mediation, unless requested not to by the

parent. Additionally, the attorney will review any and all agreements before allowing their clients to sign mediated agreements.

The court expects each parent and attorney to act in good faith and to fully and honestly disclose all relevant information as requested by the mediator. One or both parties can request mediation of the court at any time during the divorce process.