

DIVORCE MEDIATION TRAINING PROGRAM

Course Content

DAY 1

- What divorce mediation is and what divorce mediators do
- Law 101 for the Mental Health Professional – Understanding the Litigation Process in Divorce Proceedings
- Distinguishing litigation from mediation and other forms of conflict resolution, including arbitration and the collaborative approach to divorce
- When mediation is not appropriate, including group exercise on bias and ethical dilemmas
- Introduction of the divorce mediation process to divorcing spouses
- The Mediation Contract – psychological and legal purposes; Review and execution of the mediation contract with clients
- The Psychological Stages of Divorce

DAY 2

- The concepts of “fair and equitable”, “amicable” and “best interests of children” are considered in the context of mediation sessions.
- Issues pertaining to children in divorce – What are they? How are they resolved? Understanding and creating a parenting plan.
- The Marital Estate – What is it? Marital Property vs. Non-marital property.
- Property Division – keeping (excessive) emotion out of the discussion
- Insurance and retirement issues in divorce – helping clients feel safe
- Debt, tax and miscellaneous issues in divorce

DAY 3

- Writing divorce mediation agreements –Memorandum of Understanding – its construction and purpose
- Distinguishing the Memorandum of Understanding from other forms of mediation agreements
- Listening skills and relevant fact finding
- Writing the Memorandum of Understanding

DAY 4

- Prominent traits of highly effective mediators
- The psychology of the mediation process – deadlocks, disagreement and emotion
- Legal liability and conflicts of interest for divorce mediators
- Ethics
- Using Experts in Divorce Mediation Cases
- Adding mediation to your existing clinical practice