

# THE BENEFITS OF MEDIATION

- Mediation is available any time both parties are willing to engage in the process, even if they are already involved in a contested court case.
- Mediation is less expensive than going to court. A complete mediation process in most cases costs less than a single day in court.
- Mediation is efficient. Agreements are usually reached much faster than in the court process.
- Mediation is responsive to urgent needs such as support and custody arrangement. Temporary settlements can be made while the parties develop final agreements.
- Mediation is confidential and prevents public exposure of private family matters.
- Parties who negotiate their own settlements have more control over the outcome of their dispute. Gains and losses are more predictable in a mediated settlement than if a case is arbitrated or adjudicated.
- Mediation is voluntary. The parties are not forced to participate or submit to any unacceptable resolution.
- Mediation is effective because the parties will be more likely to honor settlements based on mutual and voluntary agreement. Parties are generally more satisfied with voluntary solutions, mutually agreed upon, as opposed to solutions that are imposed by a third-party decision maker.
- Mediation is especially useful to parents facing separation or divorce who need to maintain a positive parenting relationship. Divorce Mediation keeps both parties focused on the issues that matter most to the children and avoids putting them in the middle of the divorce and using them as pawns.
- Mediation settlements tend to hold up over time, and if a later dispute results, the parties are more likely to utilize a cooperative forum of problem-solving to resolve their differences than to pursue an adversarial approach.
- Mediation is empowering. Traditional litigation is hostile, adversarial, and aggressive. It focuses on assigning blame and punishment. Mediation doesn't assign blame or punishment - it seeks a solution to a mutual problem through cooperative problem-solving.
- Mediation is emotionally healthy. The legal system rarely takes the psychological or emotional factors of either party into account. Litigation is cold, hard, and uncaring. Both parties may be instructed not to talk to each other and neither side may get to voice or address their concerns, hopes, and fears. Mediation uses the psychological power of empathy to create mutual understanding between parties to address concerns, promote emotional healing and preserve ongoing relationships.