



HARRIS DIVORCE & FAMILY LAW

WHAT IS MEDIATION?

Mediation is an opportunity for the parties to freely discuss settlement and avoid trial, using a neutral party. The mediator is usually a licensed attorney, but the mediator does not issue a judgment. The mediator may offer opinions about what is reasonable but his or her opinions are not binding. Except in very narrow circumstances, settlement discussions are not admissible in a trial so mediation is a great time to discuss all possible settlement offers. Some counties require parties to attempt to mediate prior to allowing the parties to request a trial date. Mediation is less expensive and less stressful than a trial. In Atlanta, most mediators charge between \$200-\$400 per hour. Prior to the mediation date, the client should work closely with his or her attorney to complete a Domestic Relations Financial Affidavit (DRFA). This is a list of assets and expenses. A mediation will not be productive unless both parties produce a DRFA. Generally, a mediation is held at an attorney's office. Each party is given a separate conference room with their respective attorney. The mediator goes back and forth between the rooms to relay offers until the parties reach an agreement. If an agreement is reached, the attorneys will draft the agreement and the parties will sign it that day. A signed mediated agreement is an enforceable contract. The attorneys will use the mediated agreement to draft your final settlement agreement.

Mediation is not the same as arbitration

Mediation is significantly less expensive than trial

Settlement negotiations are generally not admissible at trial

Work with your attorney to complete your DRFA prior to mediation

Mediation can last all day- bring snacks and water

HARRIS DIVORCE & FAMILY LAW

295 West Crossville Rd.
Suite 540
Roswell, GA 30075

404-437-7597

www.harrisdivorcelaw.com

