TRANSCENDING TROUBLES
CONSULTING & MEDIATION

Transcending Troubles Consulting & Mediation

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What to Expect in Mediation

What mediation is

Mediation is a conversation with a neutral person in the room to help it go somewhere. You already know the disagreement. Mediation gives you a structured way to talk about it, be heard, and work out — together — what happens next.

What it isn't

I am not a judge, and I won't decide who's right. I'm not a therapist, and this isn't counseling. I'm not a lawyer for either of you, and I can't give legal advice. What I do is keep the conversation focused, fair, and moving, so the decision stays where it belongs: with you.

How it works

First, we talk separately. Before we all sit down together, I meet privately with each person — by phone or by Zoom. I hear your side, what matters most to you, and what a good outcome would look like.

Then we meet together. Joint sessions are held in a private, neutral space in Harrisburg, or by Zoom if that's easier for both of you — the same process either way. Each person gets uninterrupted time to speak. We name the real issues, look at options, and build an agreement one piece at a time. Sessions usually run 90 minutes to two hours. If we're on Zoom, join from somewhere private where you can't be overheard.

Breaks are normal. Sometimes I meet with each person privately during a session — that's called a caucus. On Zoom, that happens in a private breakout room. What you tell me in private stays private unless you ask me to share it.

Ground rules

- One person talks at a time. No interrupting.
- Talk about the problem, not the person.
- Honesty — half the story can't produce a whole solution.
- Respect stays in the room, even when the subject is hard.

Confidentiality

What is said in mediation stays in mediation. Nothing you say can be used against you later, and I don't share my notes or testify about what was discussed. The only thing that leaves the room is an agreement you both

choose to put in writing and sign.

If you reach agreement — and if you don't

Nothing discussed in mediation is binding. For most matters, a written agreement both of you sign, intending it to be binding, can be binding between you as a contract.

Custody and parenting cases are different. A signed parenting agreement is your agreement with each other — it is not a court order. It is not enforceable as a custody order until it is submitted to the court and entered as a consent order signed by a judge, who must decide based on the child's best interest and is not bound by your terms. Your own attorneys can help you turn a mediated custody agreement into a proposed consent order and file it.

If you don't reach agreement, nothing has been decided for you. You are free to stop, and your other options — including an attorney, the court, or another legal venue — remain fully available.

What to bring

- Any documents that matter to the issue (agreements, statements, court papers).
- Your calendar — we'll schedule next steps before we leave.
- An open mind. You don't have to agree with the other person. You do have to be willing to hear them.

That's the whole of it. The conversation you've been avoiding is the one that changes things.

Have the conversation.

— Nicol M. Brown