



# Mediation of Divorce Cases

*Mediation. It Works!*

## Divorce In Hawaii

Divorce ends a marriage and settles all legal matters between partners.

In Hawaii, Family Court hears all divorce cases.

- You can get a divorce even if your partner does not want a divorce.
- You do not need to hire an attorney but it is advisable to consult with an attorney about your rights.
- You must have lived in Hawaii for six continuous months and have been present in the county you file in for three months *before* you can petition for divorce.
- You can get divorced in Hawaii if you were legally married in another state or county.
- If you are an alien on conditional status, divorce may affect your immigration status. You should consult with an immigration attorney before filing for divorce.

A divorce usually takes several months. If there is disagreement about child custody or support, division of debts, or assets, the case may take longer.





## About Mediation

If you and your partner want to reach an agreement without using lawyers or going to court, you can meet with a mediator from a community mediation center. There may be a nominal fee. Mediation has several advantages:

- **More Control Over The Outcome:** When couples cannot agree on issues, a judge decides: one party wins and one party loses. Mediation allows for a discussion of the issues and searches for solutions that everyone can accept.
- **Private:** Mediation is a private process.
- **Faster:** You can usually schedule a mediation session for an earlier date than a court date.
- **Informal:** The rules of evidence and other requirements of court proceedings do not apply.
- **Maintains Relationships:** You and your partner may need to have contact after the divorce. Mediated agreements can include provisions for how you will deal with each other after divorce. You may agree to return to mediation if another dispute arises.

## Resources For Divorce Mediation

The Hawaii State Judiciary provides helpful information about divorce at: [www.courts.state.hi.us/self-help/divorce/divorce.html](http://www.courts.state.hi.us/self-help/divorce/divorce.html)

- **Hawaii Divorce Manual** - The manual, available in three printed volumes and as a CD, is a resource for people going through a Hawaii divorce and those helping them. Copies are available for browsing at the Law Library.
- **Divorce Law in Hawaii** - This monthly program is offered on Oahu and is sponsored by the Family Court of the First Circuit. Presentations include an overview of child support, property division and the mediation process. You may view a session at [www.courts.state.hi.us/self-help/divorce/divorce\\_law\\_in\\_hawaii.html](http://www.courts.state.hi.us/self-help/divorce/divorce_law_in_hawaii.html)
- **Educational Programs** — The courts have educational programs for families going through divorce. The programs help parents understand the effects of divorce and separation on their children. You are encouraged to participate in one of these programs before you mediate.

# Community Mediation Centers

## Hawaii

Kuikahi Mediation Center  
101 Aupuni Street, Suite PH 1014 B-2  
Hilo, Hawaii 96720  
Telephone: (808) 935-7844  
Fax: (808) 961-9727  
[www.hawaiimediation.org](http://www.hawaiimediation.org)

West Hawaii Mediation Center  
P.O. Box 7020  
Kamuela, Hawaii 96743  
Telephone: (808) 885-5525  
Fax: (808) 887-0525  
[www.whmediation.org](http://www.whmediation.org)

## Kauai

Kauai Economic Opportunity, Inc.  
Mediation Program  
2804 Wehe Road  
Lihue, Hawaii 96766  
Telephone: (808) 245-4077  
Fax: (808) 245-7476  
[www.keoinc.org](http://www.keoinc.org)

## Maui County

Maui Mediation Services  
95 Mahalani Street, Suite 25  
Wailuku, Hawaii 96793  
Telephone: (808) 244-5744  
Fax: (808) 249-0905  
[www.mauimediation.org](http://www.mauimediation.org)

## Oahu

The Mediation Center of the Pacific  
245 North Kukui Street, Suite 206  
Honolulu, Hawaii 96817  
Telephone: (808) 521-6767  
Fax: (808) 538-1454  
[www.mediatehawaii.org](http://www.mediatehawaii.org)

# How To Prepare For Mediation

**Effective mediation requires two-way communication. Most importantly, this means:**

- Cooperation
- Flexibility

**The following suggestions will help you to do your part to reach a fair agreement:**

- Approach mediation with a positive attitude
- Be open to new ideas and suggestions
- Seek agreement, not blame or revenge
- Look to the future, not to the past
- Express yourself fully to help others understand your needs
- Listen carefully to understand others' needs
- Learn about the divorce process before going to mediation (more information in this brochure):
  - attend or view the Judiciary's Divorce Law in Hawaii Program
  - review the divorce forms on the Judiciary's website:

[www.courts.state.hi.us/self-help/divorce/divorce.html](http://www.courts.state.hi.us/self-help/divorce/divorce.html)

- collect your financial documents



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Visit the Center's Homepage for other publications and information: [www.courts.state.hi.us/cadr](http://www.courts.state.hi.us/cadr)