

WORKING OUT THE TERMS OF YOUR DIVORCE THROUGH MEDIATION

The least costly, less stressful approach to finalizing the terms of your divorce is through mediation.

Mediation allows separating and divorcing couples to take control of planning their own lives, and allows them an environment in which to make good decisions about their future.

It is especially beneficial for parents, who though separating, will need to continue making joint decisions about their children well into the future.

At the Mediation Center of the Pacific, impartial mediators help divorcing couples talk and negotiate agreements on all of the issues that are required to be addressed to finalize a divorce.

HOW DOES MEDIATION WORK?

- A Divorce Mediation has 3 parts:
 - **Assessment of readiness**
 - Emotions & ability to talk together
 - Counseling first
 - Communication workshop
 - Information needed to make informed decisions
 - Creating a roadmap for discussion

- **Focus on the needs of the children**
 - Where the children will live
 - Time-sharing
 - Co-parenting & decision-making

- **Property Division**
 - House
 - Other assets
 - Debts
 - Retirement plans
 - Alimony

Divorce mediation usually takes a minimum of two **or three meetings of about 3 hours each** to address and negotiate agreements on all issues

- The **mediation sessions are private** – everyone signs a confidentiality agreement

- At the scheduled mediation session, the parties typically meet with a team of two mediators – a male and female

- **Mediators do not “take sides,”** issue decisions, or promote solutions. Instead, they work with the parties to open communication and assist them in coming up with their own ideas, plans, solutions and arrangements for themselves and their children

- The mediator facilitates the communication between the parties by making sure each party is given an uninterrupted time to speak, asking a party to restate or explain a point when necessary, and asking questions to make communication clear
- The mediators initially **talk with the couple together to review the issues they would like addressed, and then they meet with each person privately** to discuss concerns and ideas for reaching agreements on the issues

At the end of each session, the parties are brought back together to review progress and **memorialize agreements**

- If the parties reach an agreement, it is written in plain language to **incorporate into the divorce decree and/or reviewed by attorneys before signing**

WHAT ISSUES CAN BE MEDIATED?

- **Where the children will live and how time-sharing and co-parenting will work** including:
 - how much time the children spend with each parent;
 - how holidays, vacations, and special days will be shared;
 - how transportation will be handled; and
 - how to deal with schedule changes.

- **How major decisions for the children will be decided** including: schooling, medical care and religious upbringing

- **How property will be divided** including:
 - whether the family home will be kept or sold;
 - who will live in the house if it is not sold, or until the sale;
 - how to divide or sell personal belongings; and
 - how debts incurred during the marriage will be handled.

- Any other issues that impact the children and/or arise out of the family relationship.

IS MEDIATION ALWAYS APPROPRIATE?

Mediation is not appropriate if:

- There is a **Temporary Restraining Order** that says
 - You can't mediate and/or
 - You cannot have 3rd party contact

- There is or has been **domestic violence**

- There is **alcohol or drug abuse**

- **Emotions are so high** that you and your spouse cannot sit calmly in a room and talk about the issues with the help of mediators

HOW DO YOU GET STARTED?

- If you're ready to schedule a mediation today, you can **complete this Form** and email or fax it to the Mediation Center's Client Services Department

or

Call the Mediation Center of the Pacific at 521-6767 between 8:30 a.m. and 4:30 p.m. and ask for the Client Services Department. A Client Service Coordinator will assist you in scheduling a mediation session on a day and time that works for you and your spouse.

Schedule a mediation session at a time convenient to you including during the day, evening or Saturday morning

Generally the first session is scheduled within two weeks. However, if you have an upcoming court date, the Client Services Department will strive to schedule the session sooner.

HOW MUCH DOES IT COST?

The Mediation Center charges a nominal per party, per session fee based according to a sliding fee scale based on household income.

HOW DO I PREPARE FOR MEDIATION?

- Organize all of your documents and paperwork
- Be prepared to share information
- Be prepared to listen and be open to new suggestions and creative ideas
- Focus on the needs of the children first

REMEMBER:

- You can access mediation any time
- You make the decisions that meet your needs
- If you have children, you may no longer be a couple, but you will always be parents, the more you can learn to talk and make decisions together, the better for your children