

## HOW TO PREPARE FOR MEDIATION

Effective mediation requires two-way communication. This means:

- Honestly expressing your needs
- Listening to what the other party needs

The keys to a successful mediation are:

- Preparation
- Cooperation
- Flexibility

We suggest the following approaches to help reach an 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 the past
- Express yourself and listen carefully to what others say
- Bring all relevant documents
- Be realistic about whether or not you can live up to proposals that you make
- Learn about the divorce process before going to mediation (more information in this brochure):
  - attend or view the Judiciary's Divorce Law in Hawai'i Program
  - review the divorce forms on the Judiciary's website

## COMMUNITY MEDIATION CENTERS

### Hawai'i

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

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

### Kaua'i

Kaua'i Economic Opportunity, Inc.  
Mediation Program  
2804 Wehe Road  
Līhu'e, Hawai'i 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, Hawai'i 96793  
Telephone: (808) 244-5744  
Fax: (808) 249-0905  
[www.mauimediation.org](http://www.mauimediation.org)

### O'ahu

The Mediation Center of the Pacific  
1301 Young Street, 2nd Floor  
Honolulu, Hawai'i 96814  
Telephone: (808) 521-6767  
Fax: (808) 538-1454  
[www.mediatehawaii.org](http://www.mediatehawaii.org)



Prepared by:  
**Center for Alternative Dispute Resolution**  
Hawai'i State Judiciary  
417 South King Street, Room 207  
Honolulu, Hawai'i 96813  
Phone: (808) 539-4ADR (4237)

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

# Mediation of Divorce Cases

*Mediation. It Works!*

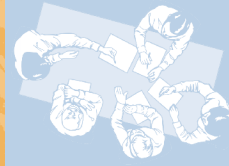
## DIVORCE IN HAWAI'I

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

In Hawai'i, 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 Hawai'i 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 Hawai'i 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** - 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 interact with each other after divorce. You may agree to return to mediation if another dispute arises.

## RESOURCES FOR DIVORCE MEDIATION

The Hawai'i State Judiciary provides helpful information about divorce on its website.

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

- **Hawai'i Divorce Manual** - The manual, available in three printed volumes and as a CD, is a resource for people going through a Hawai'i divorce and those helping them. Copies are available for browsing at the Law Library.
- **Divorce Law in Hawai'i** - This monthly program is offered on O'ahu 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 on the Judiciary's website.
- **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.