

DIVORCE MEDIATION**

While divorce is never easy, mediation can, nevertheless, reduce heated emotions, expense and time associated with this major life change. The philosophy of divorce mediation is to make the transition from marriage to separation as easy and smooth as possible through a process designed to avoid impasse, chaos and costly mistakes. Unlike marital counseling or arbitration, mediation seeks mutually acceptable solutions to the most important issues facing a separating or divorcing couple.

Benefits of Divorce Mediation

- * Anything that saves the divorcing couple from greater financial and emotional stress is highly desirable during this traumatic period of their lives; this is what makes divorce mediation so compelling.
- * Mediation places the divorcing couple (rather than a third party such as a judge) in a position to make decisions affecting its family by concentrating on the thing which means the most to their future -maintaining financial and emotional stability.
- * Divorce mediation prevents children from being caught in the middle.
- * Raw emotions are tempered while eliminating the potential for continued stalemate, thereby providing additional options for decision-making.
- * Mediation also sets the stage for a relationship of caring and respect after the divorce. In cases where mediation enables a couple to arrive at a fair and equitable settlement, individuals can avoid the scars that too often result from litigated settlements.

When to Access Divorce Mediation Services

- * During the initial stages of a separation or divorce.
- * When the divorcing couple's attorneys have reached an impasse.
- * When changes in circumstances have made a revision of a settlement agreement necessary.

How Divorce Mediation Works

Divorce mediation is hard work. It is not an instant solution to all issues facing the divorcing couple. It is, however, an effective method of resolving practical concerns--not past grievances.

The process usually begins after the couple's retained attorney(s) or an independent, impartial advisory attorney discusses legal rights. Mediation follows an orderly sequence, including all or some of the following issues: property division, spousal maintenance, child support, child custody. The couple defines the specific issues facing them. Guidelines for resolution are established and, when necessary, financial documentation is obtained. Once the issues are discussed and resolved, a Memorandum of Understanding is written by the mediator(s), signed by the couple and the mediator(s) and reported back to the attorney(s). The final settlement is prepared by the attorney(s).