

IS MEDIATION RIGHT FOR YOU?

Posted by Robyn D. Weisman, Esq. on September 28, 2016



Divorce Mediation is a kinder, gentler way to enter into a divorce or separation. It is much less expensive, much more amicable and much quicker than a tradition courtroom battle which is becoming less the norm.

But is it right for you?

When it comes to families with children, family law over the years has changed significantly. Both parents are more inclined to be an active role in their children's lives. In mediation we encourage parents to develop "parenting plans" that meet the needs of the children and the parents, allowing both parents to spend a substantial amount of time with their kids. Co-parenting plans focus on the children and their needs and take away the "custody" battle. Although divorce is an end to the marital relationship, the parental and family relationship continues. Mediation is designed to promote communication and therefore can help families establish their new- post-divorce relationship and life.

Because mediation is a less contentious process than a courtroom divorce, couples without young children find their way into mediation as the process focuses on negotiation. The division of the property and assets with the help of a neutral third-party helps to develop an amicable resolution and one that meets the concerns of the parties. A mediator is required to be a neutral party and works with the couple for the good of both parties.

Mediators address the following: equitable distribution of assets and debts, spousal maintenance (alimony), health insurance, and parenting plans.

Divorce mediation is a process wherein both parties are equally acknowledged and heard. It is a process

in which a mediator makes a difficult time a little easier. Both parties work to gain their independence while at the same time working together to come to a mutually beneficial and respectful agreement. With the trained mediator's assistance neither party will dominate the other party but instead will work together in a healthy fashion to secure their future.

Is mediation right for you? Unless there are issues of protective orders or spousal abuse mediation is the better alternative.

Disclaimer: The information obtained at this site is not, nor is it intended to be, legal advice. You should consult an attorney for advice regarding your individual situation. We invite you to contact us and welcome your calls, letters and electronic mail. Contacting us does not create an attorney-client relationship. Please do not send any confidential information to us until such time as an attorney-client relationship has been established.