

Dear Interested Parties:

Enclosed is some information about mediation and divorce in general. This letter describes our mediation services in particular. We hope you find that mediation resolves your conflicts so that you will lower the amount of time, money, and emotional stress involved in your divorce.

When a couple comes to us to consider mediation, we can begin with a free phone conversation with each party to describe mediation, answer questions, and get preliminary information. We recommend that we co-mediate with an attorney-mediator who can provide legal information during the mediation sessions but not act as an advocate for either party. In some cases, when the conflict only concerns children and the legal issues are not too complex, we meet with the couple alone and consult with an attorney during the process if necessary.

The parties may or may not have their individual attorneys. The individual attorneys will be working as advocates for each party's separate benefit and advise them of rights. As mediators, we help parties negotiate based on what maximizes their individual interests and advances the joint solution. We can provide referrals to individual attorneys who will cooperate with the mediation process and consult on an hourly basis for specific questions or to review the agreements at the conclusion of mediation.

Before the first mediation session, we ask clients to review a pre-mediation agreement with us. This agreement specifies the confidential and voluntary nature of mediation and other issues. Fees are also specified in that agreement. We can also provide forms to help parties start organizing financial information.

Usually, we schedule two hours for each mediation session. The number of sessions depends on the issues and level of conflict in each case. However, the average divorce mediation involves three to six sessions. Often, there will be two or more weeks between sessions to allow information to be gathered.

We work to make mediation sessions a safe place for couples who are going through probably the worst experience of their lives. Each party is helped to be assertive and clear about issues and needs. Respectful communication and understanding of the other's interests are also part of mediation. Mediation is not divorce therapy-- we do not try to resolve why you broke up. Instead, we try to find out what is possible in a future relationship, especially if you have children. Working out agreements about interacting can help even very angry spouses continue to cooperate as parents.

Mediation sessions can focus both on immediate separation issues and the long-term agreements needed for the legal divorce. We provide guidance about what issues need to be considered. Some couples need help with how to manage paying monthly bills, separating bank accounts, and beginning visitation with children before moving on to long-term issues such as how to divide their assets and debts. Part of what happens in mediation is agreeing on a process which can be used to value and divide businesses, pensions, or property.

After each session, parties get a list of tentative agreements, which are confidential. At the end of the mediation, parties receive a list of all agreements in plain English. These agreements may be much more extensive than what the court will require, especially in the area of parenting. The agreements can be forwarded to an attorney or paralegal to be incorporated into the Marital Settlement Agreement (MSA) needed to finalize a divorce.

Although we cannot guarantee that people will feel good at the end of a mediation, our experience is that they often feel satisfaction in how they handled the process. Many couples say they have never cooperated so well before on decisions. Some couples feel they have been helped to say good-bye to the marriage in a positive way and have improved their relationship. Our goal is to help each couple go through the process in the best way possible for them.

Sincerely,

Mary Elizabeth Lund, Ph.D.
Angus Strachan, Ph.D.
Renee Lehr, J.D., Ph.D.