

Domestic Mediation, LLC

Conflict Resolution Specialists

MEDIATION PREPARATION

General Information

1. Mediation segments will be no longer than two (2) hours in length, followed by a one and one half (1½) hour lunch break, followed by another two (2) hour segment if necessary. The Mediator will determine appropriate times for breaks as necessary. Segments may be extended only upon the agreement of all Clients and the Mediator if a settlement seems imminent, or the mediator feels an extension of the time schedule would be beneficial to the mediation process.
2. If the first mediation session (2-hour segment) results in no final agreement, a second session will be scheduled at the end of the first session, unless a client or the Mediators wish to terminate the mediation.
3. All Clients will be afforded the opportunity to present an uninterrupted opening statement followed by an uninterrupted response. A general discussion will follow. If necessary, at the discretion of the Mediator, private sessions (caucuses) will be held with the Mediator. The Mediator may then call both parties together and, if necessary, adjourn to private sessions again, followed by another joint session, etc. The Mediator reserves the right to change mediation procedures, as deemed appropriate.
4. The Mediator reserves the right to modify the schedule of the mediation due to an illness of the Clients or Mediators, inclement weather, or other extenuating circumstances.
5. If you are represented by an attorney, he/she should prepare a written summary (less than 6 pages) of the key facts and issues and send it to the Mediator at least one week prior to the mediation date. The summary should include a general statement of the dispute, issues in agreement, issues not in agreement, impediments to settlement, and your recommendation for settlement terms. The principal parties must always be physically present during the mediation. The names and titles of representatives attending should be included in the mediation summary.

PREPARATION FOR MEDIATION

1. The goal of mediation is to reach an agreement that meets the needs of both parties. This can only happen if you come to mediation with the frame of mind that you want to settle your dispute. You have several positions. Think about what you really need. The two are usually not the same thing. Think about what your life would be like if this dispute was behind you.
2. If you have children, bring a picture. Focusing on a picture of your children can help you through difficult moments during the mediation.
3. If there are monetary considerations involved in the dispute, bring any financial documents relating to the matters in dispute to the mediation. Do not send them to the Mediators. Your agreement will reflect a settlement of all personal and joint assets and liabilities.
4. If there are property issues to be mediated, bring an inventory of both joint and personal items. Do not send them to the Mediators. Your agreement will reflect a settlement of all personal and joint property.
5. Please make sure to clear your calendar for the entire day. We do not want to be impeded by time constraints just as we are making progress.