

# HOW TO PREPARE FOR MEDIATION

## Mediation Q&A:

**Q** : Does the mediator make decisions?

**A** : No. The role of the mediator is to facilitate and structure communication, not decide the issues.

**Q** : Who pays for mediation?

**A** : There is **no cost** to the parties for the mediation.

**Q** : How many people will be in the room?

**A** : Only parents/guardians, significant family members, attorneys for all parties, DHS caseworkers, CASA volunteers and other professionals needed to make decisions or who have necessary information are included in the mediation.

**Q** : Is mediation confidential?

**A** : Yes. Only the parties involved in the meeting will know what was said and discussion cannot be used in any future proceedings. Discussion may not be used in any future proceedings and information cannot be shared outside the group. However, information that was available before the mediation or may be obtained from another source is not confidential. The written agreement will be presented to the court and is not confidential.

**Exceptions to Confidentiality:** threats of harm to self or others and new allegations of abuse or neglect not previously reported.



- ★ Identify the issues you want to discuss during the mediation process.
- ★ **Make a written list.** This will help you address all your concerns in an organized manner.
- ★ **Write out word for word the questions you want to ask.**
- ★ Organize your documents. Record dates and make notes on them. Make three copies; keep one for yourself, give one to the mediator and have one to share with the other parties
- ★ Anticipate questions other parties may ask. Write down your possible responses.
- ★ Consider all possible solutions to the problem.

## Some Potential Concerns about Mediation

- ★ Mediation can sometimes be an emotional, tiring and frustrating process.
- ★ Parents and family members may feel at a disadvantage if they don't adequately prepare.
- ★ There are no guarantees that mediation will lead to a written agreement.