



# Lifestyles

## What is Mediation and how can it help you during your divorce?

By Brian James



**D i v o r c e** Mediation is a non-adversarial and cost effective alternative to dispute resolution in which you and your spouse, with the assistance of an impartial mediator, make decisions that

affect you and your family. The decisions arrive at through mediation can affect you for the rest of your lives. The decisions you arrive at are at the heart of, and form the basis for, an uncontested divorce agreement.

In mediation, the divorcing couple are the only ones who decide how agreements are reached. The mediator's main responsibility is to assist in reaching an agreed resolution, not to convey their own opinions or what they feel is appropriate. However, the mediator will aid in defusing emotions as well as guide both of you through the difficult issues that accompany a divorce.

### Advantages of using a mediator:

- Provide creative solutions to problems that parties may have considered impossible to resolve
- Extensive knowledge of distribution of property and debts
- Sensitivity about child custody, support issues and spousal support
- Private confidential office setting to handle matters that are painful and personal rather than public court
- Less cost than having opposing attorneys battle it out
- Helps avoid destructive battles which have negative impacts on children and other family members

### What to look for in a divorce mediator

Divorce mediators come from many different professions. They receive special training in skills necessary to assist parties in avoiding contested/litigated divorces. It is important to remember that no matter how educated the mediator is, he/she must be able to work with couples and have the skills needed to resolve conflicts and assist the reaching of agreements. Experience in

helping people is key for a divorce mediator. Ask the mediator how much time they spend on a daily basis working with couples.

Though Divorce Mediation is not marriage counseling, the question of saving the marriage is often explored early on in the process. During an initial consultation, most mediators detail what must be accomplished and agreed to in order to reach an uncontested divorce agreement. Sometimes, one or both of the parties reconsider their desire to divorce and attempt to seek counseling to save the marriage. When couples are not sure if divorce is their objective, it should be the mediator's responsibility not to push the couple toward divorce. Some mediators even have lists of therapists who can help a couple work on their marriage. Remember, the primary objective of divorce mediation is to assist parties who have decided upon divorce to get through the process in a non-adversarial way, not push them into agreements they don't want.

### Does mediation really work?

In a word, yes. Research has shown that, when you compare couples who have mediated their divorce with couples who go through an adversarial/litigated divorce, mediating couples are more likely to be satisfied with the process and the results. Mediation is likely to take less time, save thousands of dollars, and the agreements are honored more often than those decided by an attorney or judge.

The main advantage of mediation is that it keeps you and your spouse in total control of your divorce. This can make all the difference in your recovery time from your divorce and the ability to move on with your life. Mediation allows the two of

you to get through your divorce with less conflict than you would experience in an adversarial divorce.

### Who do you want to make decisions that will affect you and your children for the rest of your lives?

A Divorce Mediator who will listen to everything you and your spouse have to say, then assist you in reaching a win/win divorce agreement. Through divorce mediation your agreement will be uncontested in court. A judge in a court of law will make decisions based on law, precedence and how it appears to him. He cannot know all of your extenuating circumstances about you and your children. Contact a divorce mediator to learn all of your options!

*Brian James, President of C.E.L. Associates, focuses on helping divorcing couples end their marriage as amicably as possible. His organization handles mediations for all family and community disputes. They are conveniently located throughout the Chicago suburbs and offer services in Northern Illinois and Southern Wisconsin. Brian strictly adheres to mediation services that are professional and maintain the utmost confidentiality for all clients. Helping people resolve their disputes in a non-adversarial way, Brian saves wear and tear emotionally and financially.*

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