



Divorce/Separation with DSC

1. Understand the Mediation Process

Before anything else, familiarize yourself with how mediation works. Mediation is a confidential process aimed at finding mutually agreeable solutions to practical issues within a dissolving partnership/marriage (child custody/care/support, division of assets, etc.). Unlike a court proceeding, the mediator doesn't make decisions for you but helps guide the conversation to facilitate understanding and compromise. Knowing what to expect can alleviate much of the stress associated with the unknown. Recognize that mediation is about finding mutually acceptable solutions and reaching an agreement that both parties can live with and abide by. Mediation is not about "winning" a case as in court.

2. Prepare Ahead of Time/Get Clear on the Issues

Create a succinct list of the issues you would like to bring to mediation. Depending on the nature of the issues to be mediated, gather all relevant documents and information that support your needs and interests. This could include contracts, correspondence, photographs, receipts, or any other evidence that might be pertinent to your case. Organizing these materials beforehand will ensure you can reference or present them during the mediation session as needed.

3. Understand Your Goals and Interests

What do you hope to achieve through mediation? Clearly define your goals and what you're willing to compromise on. It's helpful to differentiate between what you need and what you want. Needs are non-negotiable, whereas wants are areas where you might be willing to give and take. Understanding this distinction will help you navigate the mediation process more effectively.

4. Consider the Other Party's Perspective

The goal of mediation is to collaborate and compromise with the other party. The most effective way to accomplish this is through empathy. Try to understand the dispute from the other party's point of view. They have preferences and needs just like you do; trying to understand those will make it easier to identify any areas of agreement or common interests that could serve as a foundation for negotiation.

5. Think About Your Priorities

It's worthwhile to break down your priorities and order them from greatest to least important. This step further refines your understanding of what you're willing to negotiate and compromise and what is non-negotiable.

6. Prepare Emotionally

Divorce and separation mediation can be emotionally taxing. Assess your emotional state and consider strategies to manage strong feelings that may arise. This might include practicing stress-relief techniques or simply reminding yourself of your goals for the session. Remaining calm and composed can significantly impact the meeting's outcome.

7. Communicate Clearly

Effective communication is at the heart of successful mediation. Think about how you can clearly and succinctly express your perspective, concerns, and needs. Practice active listening, which means fully concentrating on what is being said rather than passively hearing the message. This can foster an atmosphere of respect and openness, paving the way for a more productive discussion.

8. Stay Open-Minded and Flexible

Be prepared to listen to the other party's perspective and adjust your approach based on new information or insights. Be open to creative solutions that might satisfy everyone's interests.

This flexibility is an important part of approaching the process with realistic expectations. While mediation has a high success rate, it doesn't guarantee a resolution on the first try. It's a process that may require time and patience. Be open to compromise and remember that the goal is to find a solution that both parties can accept, even if it's not a perfect outcome.