

## **DIVORCE MEDIATION: The What, Why and more**



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February 2010

### **What is Divorce Mediation?**

Mediation is where you and your spouse (or soon to be ex-spouse) sit down in the same room with a neutral mediator. The mediator does not take sides and is there to help you work through all the issues involved in a divorce (or legal separation).

Spouses who attend mediation want to get divorced (or separated), but do not know how to work through the process to get from A to Z. The mediator will present all the issues involved in a divorce (e.g., depending on the situation: child custody, child support, maintenance (alimony), splitting marital assets, pensions, paying off debts, taxes).

### **Why Divorce Mediation?**

There are many reasons why mediation is advantageous. The main advantage of mediation is that it saves you money. Mediation costs thousands of dollars less than a contested divorce. Furthermore, most mediators charge a fixed fee, this way you will know exactly how much it will cost before you hire a mediator. In contrast, if you hire an attorney for a contested divorce, you typically will not know how much you will be paying as the attorney's fees are dependent on how many hours the attorney works on your case.

The second advantage of mediation is that you and your spouse are in control of your divorce (or separation). You and your spouse make all the important decisions that will control the rest of your life. Most judges have dozens of cases and simply can't focus on all the individual needs of your situation.

Other benefits of mediation: it is confidential and is usually a much shorter process than a contested divorce.

### **Who is involved in Divorce Mediation?**

You and your spouse will most likely attend all divorce mediation sessions together. Some mediators work by themselves and others work in a group of two. As mentioned the process is confidential.

### **When doesn't divorce mediation work?**

In order for mediation to work, both parties have to be willing to:

- Be willing to compromise
- Talk in a civil manner to each other
- Listen to the other person's point of view and seriously consider it
- Want to get divorced or separated

When mediation fails it is usually because one party really doesn't want to get divorced or separated. That person is hoping that by going to mediation, they are keeping the peace and that mediation will magically bring the marriage back together.

However, mediation is not marriage counseling. Indeed, mediators are there to help you get divorced or separated and do not attempt to counsel the parties on their marital issues.

### **The Badanes Law Office The Smart Way Mediation**

The Badanes Law Office in conjunction with The Smart Way Mediation provides divorce mediation services. We are unique in that in every mediation you get the benefit of a trained counselor and an experienced attorney. This allows us to provide a gentle hand in guiding you and your spouse through the mediation process.

Call us today at: 631-239-1702 or email us at: [dbattorney@optonline.net](mailto:dbattorney@optonline.net). Our mediation rates are extremely competitive and will save you thousands of dollars.

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