
“Empowering people to make positive changes in the way they respond to conflict.”

WHAT YOU CAN DO IN FAMILY MEDIATION

Family mediation is concerned with those areas in which frequent family conflicts make it difficult for family members to live in peace and harmony. Conflicts typically include disputes between parents, partners, one or both parent(s) and their teenager, siblings, and even elder parents and their adult children. Probably the most distressing of family conflicts are those associated with divorce, separation and updating original parenting plans as children and situations change over time.

Family Mediation Services, a program of Yamhill County Mediation (YCM), provides trained volunteer mediators dedicated to assisting families with resolving their differences.

Information contained herein is to provide you, a potential participant in the family mediation process, with a brief overview of what you may expect. *While mediation is not for everyone, it is a process that is worth exploring.* Persons who have engaged in it successfully state repeatedly that it was a far more productive and less costly alternative, both financially and emotionally, to continued altercations or using (or abusing) the courts as the basis for settlement.

With our expert guidance, mediation affords parties in conflict an opportunity to identify what they each need and then explore and agree on solutions that will meet those needs. *To achieve these ends, each party must be open to modifying or adjusting their pre-mediation positions while not compromising their integrity,* not an altogether easy achievement at a time when parties are experiencing emotional anxiety and other internal and external pressures and stress.

Past experience suggests that parties often come into a mediation session wanting to blame or attack each other, but mediation is not the time for recrimination, revenge or retaliation. When these behaviors are present, our mediators will help the parties to redirect that energy into attacking their mutual problems, rather than each other.

In extreme situations, including expressions of violence or threats of violence to others or repeated expressions of hostility, the mediators will suspend the session until such time as the participants and a YCM manager can agree that mediation is once again feasible. When, in the opinion of the mediators, threats of violence present clear and imminent danger to others, the mediators are obligated by YCM policy to inform YCM management, who may then inform the threatened “others” and law enforcement authorities. In addition, where a mediator has reasonable cause to believe that child abuse or elder abuse has occurred, the mediator will be required to inform YCM management, who then may contact the State’s Office for Services to Children and Families.

It is the mediator's responsibility to help participants obtain what each one needs from an agreement in an atmosphere of mutual respect and decency. You will be offered the opportunity to yield to standards and principles rather than pressures of will. The mediators will encourage you to be fair while protecting you against any efforts of others to take advantage of your fairness.

Successful mediation results in a written agreement which meets the needs and concerns of both parties to the extent possible, resolving conflicts fairly and promising to be durable.

With the exceptions of threats of imminent violence or suspected child or elder abuse, things that you say during the mediation process are confidential and not subject to being subpoenaed or otherwise being presented as evidence during any later trial.

An important note for you to understand: the mediators will not be solving your problems for you. Their job is to provide you with a safe environment for expressing your feelings and concerns, and to guide each of you through a series of potentially difficult conversations wherein you will work hard and in good faith to come up with a solution that meets each of your needs.

[Some of this information has been adapted from a variety of sources: e.g., Fisher R. and Ury, W., Getting to Yes. New York: Penguin, 1983; and papers prepared by Kathleen Corcoran, Eugene, Oregon; Lois Gold, Portland, Oregon; and R. N. Lowe, Eugene, Oregon.]

“A common effect of divorce on adults is the diminishing capacity to parent.”

Wallerstien and Kelly 1980

CUSTODY of and PARENTING YOUR CHILDREN

Often, when a marriage or couple’s partnership is coming to an end, the willingness to cooperate does not come easily, particularly with regard to matters involving child custody and parenting time. Additional complications can arise when the needs of other people who have a stake in the outcome – step-parents, grandparents, guardians, care-givers and others – are taken into consideration.

As separation, divorce or post divorce relates to custody and parenting, the scope of mediation is far reaching. To arrange for exercising one’s parental rights and responsibilities in these areas requires becoming informed, careful consideration, deliberation, and cooperation.

Conflicts can also arise when an existing parenting plan no longer works for everyone, and the parents (sometimes with their new partners) need to come together to adjust the original agreements.

To help you and the mediators prepare for your first face to face mediation session, we ask that you consider the questions on the attached questionnaire most carefully and record your responses accordingly. Your responses will help to establish, for the most part, the extent to which you are ready to mediate your differences.

No doubt some of the issues raised in the questionnaire have not been in the forefront of your thinking, while others may have been rattling around for some time! Do not think you have to be definitive in arriving at a response. The questions have been designed, at least in part, to help you focus upon the many aspects of parents living apart and seeking to fulfill their attending desires to share time with their children and the obligations associated therewith.

To emphasize: mediation is a serious undertaking requiring careful attention to what the other party is saying, expressing yourself openly, honestly and freely, and developing confidence that whatever tasks present themselves, you and the mediators will be equal to them.

PLEASE NOTE: The mediation will not be scheduled until we have received the completed questionnaires and Processing Fee from each party. You may also be confident that your responses to this questionnaire are confidential and will not be shared with the other party without your permission.

Thank you for giving us this opportunity to assist you with these difficult decisions about your future. You are in good hands.

YCM