Mediation is basically a negotiating conference where the parties sit down with an independent third party (“mediator”) and attempt to reach an agreed upon settlement. In family court cases, it is mandatory if the parties have not already resolved their case. The mediator does not make a decision and dictate the outcome (like a judge in trial); that is actually what mediation attempts to avoid.

Mediation is confidential and cannot be used by a party or against a party unless there are threats or admissions of child abuse or sexual abuse.

The parties’ attorneys are almost always present for mediation.

Typically, the parties are in separate rooms for mediation and likely never see one another.

Mediation generally lasts about 3 hours.

In most cases, the parties equally divide the mediator’s fees and payment is due on the date of mediation.