



What is Family Law Mediation?

If you are involved in family law litigation in the 12th or 20th judicial circuits (Sarasota, DeSoto, Manatee, Charlotte, Lee, Collier, Glades and Hendry Counties) you will be required to attempt to mediate your case before it can be heard before a judge. So, what is family law mediation?

Mediation is a voluntary process whereby a trained mediator assists the parties to resolve the issues. A mediator is not a counselor. A mediator is not someone who gives legal advice. A mediator is not a judge. A mediator is not an arbitrator who imposes a decision on a party.

By definition, a mediator is a neutral third party. Although one is not required to be a family law attorney to do family law mediations, most family law mediators practice family law. This background in family law equips them to help resolve the issues and to help the parties reach a reasonable compromise. Also, a good mediator with a background in family law, while not acting as a judge or giving advice, can give feedback to both sides regarding the strengths and weaknesses of their respective cases.

Mediation is confidential. No one is permitted to discuss what is said at a mediation with anyone who is not present at the mediation. This way no one has to worry about someone telling the judge, in the event the mediation is not successful, about what was offered in settlement or other matters that were discussed at the mediation. This allows both parties to be creative and to make good faith offers.



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Family law mediations are successful more than two-thirds of the time. Because the earlier you settle a case the less expensive it is, it is sometimes a viable option to go to mediation either prior to the initiation of litigation or very early in litigation.

Given the requirement that mediation occur, if you find yourself in a situation where family law litigation is likely, exploration of an early mediation option may be to your advantage.

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