

Divorce Mediation Basics: The Ultimate Checklist

Step One: Sending the initial letter setting forth an overview of the issues to be addressed during the mediation process, and an invitation to the parties to participate.

Step Two: Collect statements from the parties and all the collateral sources who have relevant knowledge and information with regard to the facts of the case.

Step Three: Collect all records, receipts, bank statements, documents, and all Declarations of Disclosure that set forth the financial circumstances of the parties.

Step Four: Assess the most likely outcome based on the law, the facts, the witnesses, and the evidence.

Step Five: Coach the parties on mediation preparations. Let them know what to expect, what to bring, how to prepare, how to present, and the overall protocol for the process.

Step Six: Call to confirm what is on the agenda, understanding of the protocol, and the agreement to process, approach, and logistics.

Step Seven: Open the meeting with an invitation to outline all areas of agreement, answering questions that may block agreement, exchange documents that may enlighten, inform, and advise.

Step Eight: Inventory all areas of agreement.

Step Nine: Acknowledge and applaud progress.

Step Ten: Elicit creative ideas, proposals, and suggested solutions.

Step Eleven: Keep the parties in the conversation with questions and stories.

Step Twelve: Document and summarize the agreement of the parties, and the extent that there has been success in the process.