

## Divorce mediation offers a peaceful alternative to court battles

Written by Australian Business

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September 20, 2013 /**24-7PressRelease**/ -- Divorce is often one of the most difficult experiences that people go through in their lives, but that does not mean that it has to be among the most traumatic. In many cases, drawn out legal battles and courtroom drama only make things worse by prolonging the process and adding contentiousness to an a situation that is already fraught with difficult emotions. Fortunately, for couples who wish to part ways with a minimum of unnecessary conflict, there is another way.

### What is divorce mediation and how does it work?

[Divorce mediation](#) is a process for resolving divorce-related issues outside of court in a calm, cooperative environment. Couples who participate in divorce mediation agree to negotiate their divorce with the assistance of a neutral third party called a mediator. Unlike a family court judge, a divorce mediator is not a decision-maker; instead, he or she is merely a facilitator who provides structure and guidance to the divorcing spouses as they negotiating toward a final outcome of their own choosing.

Almost any divorce-related issue can be resolved through mediation, including [child custody](#) , spousal support and property division. During divorce mediation, each spouse has a right to have his or her own consulting attorney present to offer legal advice and guidance during the negotiation process. However, it is the divorcing spouses themselves who control the outcome.

Divorce mediation typically involves a series of meetings between the spouses, their attorneys and the mediator. The first of these meetings typically centers on identifying the issues to be resolved and laying out the general structure for the mediation process. Later meetings will focus on brainstorming potential solutions to each issue and negotiating toward a resolution to each of these issues that everyone is satisfied with.

### Why choose divorce mediation?

Although divorce mediation is not right for every situation, it can offer many potential benefits over traditional divorce litigation. One of the biggest benefits is the increased potential for a more amicable, mutually satisfactory outcome. Unlike traditional litigation, which pits the parties against one another and often produces a "winner" and a "loser," divorce mediation is a collaborative process geared toward finding solutions that are agreeable to everyone.

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Particularly for parents of young children, who usually must remain in frequent contact with one another after the divorce, mediation can help pave the way for a cooperative and effective co-parenting relationship.

In addition, while courtroom litigation is typically rather limited with regard to the potential outcomes involved, the mediation process gives divorcing spouses the freedom to "think outside the box" and find creative ways to ensure that everyone's needs are met. As a result, people who go through the mediation process may find that their outcomes are more satisfying than those that can be achieved through traditional litigation.

Yet another benefit of divorce mediation is that it tends to be faster and more cost effective than traditional litigation. This often allows the parties to move on with their lives more quickly, without the emotional and financial drain that often accompanies a protracted court battle.

### **What next?**

To learn more about divorce mediation and whether it could be right for you, contact a divorce lawyer near you with experience in divorce and family law mediation.

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