

Notice of Mediation Services for Parents

Free Mediation Services

The Family Court offers a limited number of hours of free, confidential mediation services for parents involved in or contemplating filing a Family Court case, to help develop parenting plans for use in dissolution, paternity or adult abuse proceedings. Mediation may also help parents resolve visitation and custody issues concerning existing parenting plans. This no cost mediation service is limited to developing the parenting plan and will not address division of property, debt or child support issues. For mediation services that will address property issues as well as the parenting plan see "Selecting a Mediator" below. To learn more about mediation or to request free mediation services, call the Domestic Relations Service at (314) 615-8093.

Why Mediation

Divorce is a time of change for families. To help you make decisions about these changes, the Family Court of St. Louis County encourages you to consider the use of mediation. Mediation can help divorcing, divorced, or never married couples work out the division of property, financial arrangements, and decisions about children.

Oftentimes changes in the personal relationship between parents interfere with their ability to work together in making significant decisions. With a trained mediator, resolving differences and conflicts can ease the adjustment to divorce and lead to a more satisfying outcome. Through mediation, parties can reach mutual decisions about property division as well as child custody and support matters without participating in a contested lawsuit. Participants in mediation sometimes spend less money, frequently spend less time in court, and always take greater control over the outcome of their cases. Mediation can be especially beneficial to parents who are making plans for the care of children during and after the divorce.

What is Mediation

Mediation is a voluntary process where an impartial third party (mediator) assists the parties in making mutually acceptable decisions. The mediator does this by helping participants clarify issues, reduce misunderstandings, explore options, and identify areas of agreement. Agreements reached are based upon decisions of participants and not upon decisions of the mediator.

Persons Involved in Mediation

Typically, mediation sessions include the parents together with the mediator. The mediator may meet with the couple's children, if any, and with other necessary individuals as agreed to by both parties. With the consent of both parties and at the discretion of the mediator, attorneys may be present and participate in mediation sessions. If special assistance is needed due to a disability or language barrier, please consult with the Human Resources Department at (314) 615-4471.

Selecting a Mediator

Parties may select any qualified person to mediate their divorce or related legal proceeding. However, as a public service, the Family Court of St. Louis County maintains a list of private individuals who are available to serve as mediators. Mediators on the Court Approved List have certified that they meet the qualifications set forth by the Family Court of St. Louis County for mediating all relevant issues raised in a dissolution petition, paternity action, or motion to modify; these include property, financial arrangements, child custody and related parenting issues. They are attorneys or persons who have a graduate degree in counseling, psychology, social work or a related field. The Family Court takes no position as to the relative skills of any individual listed as a Court Approved Mediator nor does the Court take any responsibility for the services provided by such individuals. If you would like to obtain a List of Court Approved Mediators, contact the Court Human Resources Department at (314) 615-4471 or visit the Courts website. www.stlcourtscourts.com/DEP_FamilyCourt.php

Fees for Mediation

Each mediator sets his/her own fees. To learn more about fees, contact the mediator directly.

Service Limitations

The mediator may not act as an attorney or counselor for either party during or after the time that they are involved in mediation. The mediator may not act as investigator for any Court-ordered report nor make any recommendations to the Court.

Confidentiality

Mediators may neither disclose nor be subpoenaed to disclose information made known to them in the process of setting up or conducting mediation.

Mediation Agreements

The mediator writes a summary of the decisions reached in mediation. The summary is provided to the participants and to their attorneys (if any). It forms the basis for the settlement agreement, which is not binding until approved by the Court.

Role of the Attorney

Your attorney continues to play an important role when you participate in mediation. Rather than acting as the primary negotiator, the attorney acts as your consultant, providing you with guidance through the legal process.

Ending Mediation

At any time, either participant may withdraw from the mediation process. The mediator may end the mediation at any time if the mediator believes continuing would be unproductive or detrimental to one or both the parties or their children. In addition, the parties may jointly seek the services of a replacement mediator. A decision to change mediators or to withdraw from the mediation process will not be held against either party by the Court.

Benefits of Mediation

Mediation gives participants the opportunity to remain in control of decisions that will affect their property division, financial arrangements and children's lives. Research indicates that children adjust more positively where there is less conflict between parents. By attempting to minimize misunderstandings and identify positive mutual goals, the mediator seeks to lessen hostility between the parties. The focus is placed on the present and future, not on what happened in the past. Mediation also eliminates the uncertainty that results from a trial.

Court Time Standards

The Family Court of St. Louis County makes every effort to comply with time standards set by the Missouri Supreme Court that are intended to insure the timely resolution of court cases. Mediation, in and of itself, is not considered a valid reason to delay court proceedings.

Early Participation

The Court encourages persons to use mediation as early as possible in the legal process. Mediation Services offered by the Domestic Relations Service and the Court Approved List of Mediators are all available to persons who wish to begin the mediation process before filing papers in Court.