

7 Benefits Supporting Mediation When Facing a Marital Separation



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WELCOME

Thank you for considering me to assist you when faced with decisions or disputes that must be determined in order to achieve a marital separation. Mediation is a step in the right direction for settling those decisions. The process nurtures and supports the negotiations between the parties while costing a fraction of what many other avenues cost. Many parties have stated they felt a balance of power since I am not a practicing attorney. They were given an opportunity to discuss their responsibilities and concerns openly without it feeling like litigation in a safe environment.

I am a professional mediator that has been mediating for more than 20 years with a success rate of 85%. I have had extensive personal experience with real estate division, marital issues, custody and parenting plans. I have provided services to parties that found themselves faced with difficult decisions but didn't want to use the court system to settle it for them. As a skilled mediator, I assist parties in understanding each one's perspectives and move the parties along to a practical solution within a legal framework.

Mediation offers an environment where parties are able to express their concerns while still considering the other person's opinions. The mediation process gives the parties the voice and the control over their destiny in a more timely fashion, addresses healthy relationships, removes the uncertainty of a judge deciding their future and at a mere fraction of the expense.

My preferred method of mediating is with the parties face-to-face, but if this becomes a burden or the parties must miss too much work, the sessions may be scheduled with the parties remaining in the comforts of their own home. Often times, separation has already created a financial stress for both parties and having to miss work only makes it more difficult to meet each ones needs.

As a Virginia Certified Mediator, I have participated in thousands of mediations over the past two decades. This experience has given me insight and substantial knowledge in the many ways that disputes can be resolved creatively and timely.

I provide an orientation to the mediation process at no cost to the parties. There is no obligation to continue with mediation at any time. If you feel this is an avenue you would like to explore, please contact me to schedule a time to discuss the mediation process more at length. If you are ready to take the first steps necessary to reach resolution with less anxiety, please feel you may call me today at 434-942-0132 or email at carolyn@peacefulalt.com.



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Choosing mediation over litigation can be one of the smartest choices a person makes when he or she is involved in a marital dispute. Litigation might be considered the traditional means by which to settle a legal disagreement, but it is the least efficient and slowly becoming the least popular. There are so many other forms of dispute resolution available, fewer and fewer people are opting to take their legal disputes into the courtroom.

Mediation provides a means by which marital disputes can be settled with civility and respect. Mediation makes it possible to settle disputes with efficiency and ease. What are the benefits of choosing mediation over litigation?

1 Cost

Mediation is less expensive than litigation. There are a few reasons for this. In addition to eliminating court fees, mediation also means fewer billable hours paid to attorneys. In some cases, individual representation from an attorney is not even necessary. Many disputes are settled by only those involved in the dispute and the mediator. No individual representation is even required to come to terms and negotiate an agreement between the disputing parties and an attorney can always be used for a consult after the agreement is reached.



2 Time

One of the main reasons mediation is less expensive is because it takes less time. In addition to saving money, saving time is beneficial because it allows people to return to their responsibilities or move on with their lives after the dispute. The sooner the problem is wrapped up the sooner disputing parties can return to being productive. Whether you are using mediation to settle a divorce so you and your family can move on with life, or mediation is the tool you have chosen to settle a custody dispute, the time saved in the process is extremely valuable.

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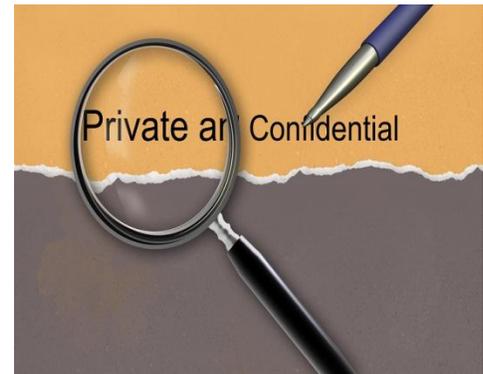
3 Control

Mediation puts control of the dispute resolution into the hands of the people most affected by the outcome. When disputes must be settled in court, a judge or jury makes the final ruling. These people are familiar with the case only based on what you have shared. This means that someone who has known of the situation for hours or days is in control of your fate.

In mediation, you and the other people involved in the dispute are the ones creating a solution. In some ways this makes the situation more challenging if you both want different things. However, a skilled mediator is able to work with disputing parties and help them reach an agreement that is favorable to both sides. Mediation is only successful when both sides are satisfied. In litigation, it is possible for both parties to walk away unhappy with the result.

4 Privacy

Mediation is completely private. Nothing discussed during the mediation session becomes a matter of public record, nor can it be used in a court case, should the matter eventually proceed to litigation if mediation does not produce a complete agreement. This privacy is especially important for families and those involved in personal disputes.



5 Respect

Mediation is a process filled with respectful communication. Litigation is more of a battle and many view their courtroom confrontation as a “knock down drag out” process. Mediation is about communication and understanding the opposing side. Skilled mediators are able to facilitate effective communication and bring disputing parties to terms with the situation. Everyone in the mediation process is viewed as a human being with feelings, thoughts, and concerns. In the long run, mediation makes it easier to deal with the people involved in a dispute because everyone is treated like independent adults able to solve their problems.

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6 Consistency

Because mediation is focused on respectful communication, it makes it possible for relationships to continue once the dispute is settled. This is very true for personal disputes. When families are involved in a dispute, mediation can preserve the familial bond and provide communication skills that can be used in the future. Mediation does not leave those involved in a dispute feeling betrayed or uncomfortable with the outcome. Issues are addressed in full, so in the end, everyone feels confident with the resolution.



7 Durability

Since the disputing parties control the outcome of mediation, it is more likely the resolution will hold up over the long term. When people design their obligations they are more likely to abide by them. Mediation provides an opportunity for everyone to speak his or her mind. In addition to dealing with the practical nuts and bolts issues involved in a dispute, there is also an opportunity to address feelings about the issue. When people are able to constructively use their emotions and speak openly and honestly about an issue, there is a great feeling of closure once the resolution is reached.

This makes it easier for everyone involved and avoids follow-up court hearings and additional need for legal intervention. It also makes it easier on everyone involved when each party accepts his or her responsibility and people move forward with their obligations.

*Are you facing a marital separation? Do you think mediation might be the right option for helping you settle it? If you want to avoid the cost and inefficiency of litigation, **Carolyn Fitzpatrick** can help. Contact her at **434.942.0132** or by email at carolyn@peacefulalt.com for more information or to schedule a consultation about your dispute.*

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