

So, you may have to go to court with a family problem. Do you feel . . .

terrified?

helpless?

angry?

powerless?

threatened?

shaky?

confused?

There are ways to deal with or reduce these feelings. While it may be necessary to go to court to solve your problem, some issues may be worked out through the use of family mediation.

As you deal with your family problem, if . . .

- confidentiality
- informal setting
- minimizing costs
- timeliness
- time to talk about your viewpoint
- time for discussion

are important to you, then you may want to talk to a mediator. In Colorado, attorneys are encouraged by the Rules of Professional Responsibility to advise their clients that there is more than one way to solve a legal dispute. Mediation is one of these alternatives. Since you may not have an attorney, this brochure will assist you in learning more about mediation.

Mediation is a forum for resolving disputes by using a neutral and impartial third party who assists people to identify and discuss issues and arrive at mutually agreeable solutions to their problem. Mediated agreements are likely to be accepted and enforced by all courts in Colorado.

Other Ways a Mediator Can Help You

- Assist you to make a plan to fit your family. This includes, but is not limited to, parental responsibility, parenting time, and financial issues.
- Avoid high costs.
- Minimize hostility of the other party.
- Open lines of communication.
- Often speeds up the process. Your hearing date to confirm the process can be obtained in four to six weeks.
- Avoid public disclosure that you find in a courtroom or with court files. Colorado law provides that all mediations are confidential. Mediation sessions are private and involve only the parties and the mediator. Also, each party may have an opportunity to meet separately with the mediator to discuss concerns or goals.
- Provide a process that will take as long as necessary to serve your legal and emotional needs.
- Create a process in which your problem(s) can be solved one step at a time.
- Give you an opportunity to ask questions whenever necessary so that you can actively participate in the decision-making process.
- Offer you an opportunity to explore more than one solution to the dispute, including ones you've never thought of.

When is Mediation Most Appropriate?

- Divorce proceedings
- Custody disputes
- Child support problems
- Assistance in paternity matters
- Change to an existing court order or agreement
- Changes or disputes in parenting
- Legal separation
- Other family disputes
- For all cases where both of you are willing to explore the resolution of disputes and are willing to work toward an agreement

When is Mediation Not Appropriate?

If there is a history of domestic violence, mediation may not be appropriate. Talk to a mediator or a domestic violence professional about this.

How Do You Find a Mediator That's Right for You?

It is recommended that you, as a consumer, contact the Office of Dispute Resolution, Colorado Judicial Branch, or ask your local clerk of court for a list of mediators in your area. The choice is up to you. Currently, there is no process in Colorado to license mediators.

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Answers To Your Questions About

How Family Mediation May Work for You

“Particularly in the area of family law, the best solution to any dispute is a solution that the parties themselves reach, because emotional damage is minimized and long-term success of the outcome is maximized. Alternate dispute resolution options are tools we can offer parties to enable them to achieve the goal.”

Justice Rebecca L. Kourlis

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