

Divorce Mediation

PREPARING FOR YOUR DIVORCE

Checklist & Expectation

This checklist is designed to help you prepare for your upcoming divorce mediation, ensuring a smoother and more informed experience. Mediation is a voluntary, confidential process where both spouses work together, with the guidance of a neutral mediator, to resolve issues related to their divorce.

Before Mediation: Preparing for the Process

Understand the Mediation Process

- Mediation is different from a court trial; it is a collaborative process that helps you and your spouse reach mutually agreeable solutions.
- The mediator does not make decisions but facilitates discussions to help both parties find common ground.
- Mediation is confidential, meaning discussions cannot be used later in court.

Gather Important Financial Documents

- To ensure transparency, bring recent income statements (pay stubs, tax returns, W-2s, 1099s).
- Collect bank statements, retirement account details (401(k), IRA, pensions), investment portfolios, and insurance policies.
- List debts, including credit cards, loans, and mortgage balances.
- If property is involved, obtain recent appraisals or valuation reports.

Identify Assets & Liabilities

- Clearly outline what you and your spouse own and owe.
- Determine which assets are marital (acquired during the marriage) and which are separate (owned before marriage or received as a gift/inheritance).

Consider Child-Related Issues (If Applicable)

Be prepared to discuss custody and parenting schedules that prioritize

- your child's well-being.
- Think about child support obligations and additional expenses such as healthcare, education, and extracurricular activities.
- Consider how major decisions regarding schooling, medical care, and religious upbringing will be made.

Determine Spousal Support Expectations

- If applicable, discuss whether alimony (spousal support) will be necessary, and for how long.
- Consider your financial needs and ability to be self-sufficient post-divorce.



During Mediation: What to Expect

Maintain Open and Constructive Communication

- Approach discussions with an open mind and a willingness to compromise.
- Stay focused on finding solutions rather than rehashing past grievances.
- Speak respectfully and listen actively to your spouse's concerns.

Negotiate Key Agreements

- Division of Property and Debts: Who will keep the home, car, or other significant assets? How will debts be handled?
- Custody and Parenting Schedule: What arrangement best serves your child's needs?
- Child and Spousal Support: How will financial responsibilities be divided?
- Insurance and Retirement Accounts: Who will maintain health and life insurance policies? How will retirement funds be split?

Stay Flexible and Patient

- Mediation takes time. Some sessions may take longer than expected, and compromises may require multiple discussions.
- Be prepared for emotional challenges, and focus on the long-term benefits of an amicable agreement.

After Mediation: Finalizing the Divorce

Review the Memorandum of Understanding (MOU)

- This document outlines all agreements reached during mediation.
- Review the terms carefully before signing to ensure they reflect your understanding and agreement.
- It is recommended to have an attorney review the MOU before submission to the court.

File Necessary Legal Documents

- Once agreements are finalized, legal paperwork must be filed with the court to obtain a divorce decree.
- Ensure all financial and custodial arrangements are properly documented.

Plan for the Future

- Update financial accounts, wills, insurance policies, and legal documents to reflect post-divorce arrangements.
- Create a budget that aligns with your new financial situation.
- Consider seeking counseling or support groups to navigate the emotional transition.

Divorce mediation offers a more peaceful and cost-effective alternative to litigation. The key to a successful mediation is preparation,

a cooperative attitude, and a focus on future stability. By understanding the process and setting realistic expectations, you can work toward resolutions that benefit everyone involved, especially any children.

If you have any questions or concerns before your mediation session, consider consulting with a professional to help you feel more confident and prepared.



For more information about Civil and Divorce Mediation Please visit
www.MyMediator.JeannieSantiago.com

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Resources

Depending on your case, there can be instances where specialists may be required. This additional service could increase the overall cost to your mediation. Such experts are:

Accountants
Financial Advisors
Lawyers
Therapists

CDFA
Domestic Violence support
Forensic Financial Analyst