

What is Divorce Mediation?

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Are you and your spouse not coming to an agreement over the important aspects of your divorce? That's where [mediation](#) comes in. **Divorce mediation** is where you and your spouse hire a neutral third party, called a **mediator**, to discuss and make an effort to resolve any issues in your divorce. Common issues that will be discussed are [child support](#), [child custody](#), [parenting time](#), [alimony](#), as well as [dividing property](#), [retirement accounts](#) and all other [assets](#).

Due to the high emotions that are present during a divorce, ***it's important to have an experienced family law attorney on your side throughout the mediation process.*** [The Law Office of David Pedrazas](#) has been working with clients in Utah to navigate the divorce mediation process for *over 15 years*. Our *knowledge* will provide you with the *guidance* you need through what can be an overwhelming time.

Is Mediation a Requirement During Divorce?

Since May 2005, ***Utah courts made it a requirement for divorcing parties to mediate any contested matters*** when an answer has been filed following a divorce petition. Before proceeding to litigation, *the parties must have attended a minimum of one mediation session, with the attributed costs being split between the two parties.*

There are situations where divorcing parties may be excused from going through a mediation process. Both parties may be convinced that their case is not suited for the mediation process. When there are *physical safety concerns, excessively high levels of conflict or when one party cannot adequately express themselves during divorce mediation*, these circumstances may warrant exemption.

Why is Divorce Mediation Encouraged?

Apart from being an alternative form of dispute resolution, ***mediation allows for the participation of the divorcing parties in coming up with solutions to problems.*** When information is shared, it becomes easier to implement the agreement without exposing the children too much successfully. In contrast to the adversarial full divorce trial, this process will *help in creating a satisfactory agreement that protects the interest of both parties.*

How Does the Divorce Mediation Process Work?

A mediator can help to create a plan that fits your circumstances. Matters relating to *visitation rights, custody arrangements, child support and alimony payments* can get complicated. The mediator will assist in:

- Coming up with workable monthly schedules for the transportation and transfer of kids from one home to another.
- Holiday agreements touching on how different matters will be handled at such times.
- Coming up with provisions for changes in the agreement in case one of the spouse's moves.
- Drafting what is expected of each parent regarding behavior and responsibilities. This could touch on important events such as the different rites of passage of the kids.
- Communication agreements on how the two parties will relate with each other, especially on matters that affect the children.
- The upbringing of the children will also be discussed, with issues like *religion* and relationships with extended

family being agreed upon. A mediator will guide the parties to agree on how they will be involved in the school life of the kids. Both parties should be clear about involvement in grades, homework and parent-teacher conferences. Responsibilities relating to attending and participating in extra-curricular activities in the school will also have to be included.

- The mediator will help the spouses to agree *on how to share debts and assets, spousal support as well as school tuition, daycare, and health care.*

When circumstances change, and the arrangements no longer fit the new circumstances, the divorce mediator will help you in making the necessary adjustments to the agreement. A good mediator will explain to you the options available to you as well as the legal implications of exploring those options. This will be done in a way that ***protects both you and your loved ones.***

How Much Will Divorce Mediation Cost?

One of the factors that determine how much you will pay for divorce mediation is the *mediation period*. Most mediators and attorneys are likely to have *predetermined hourly rates* for their services. Complex disputes and the lack of willingness by the two parties to negotiate can *potentially increase the time it takes to reach an agreement* which will then *drive up the cost* of the process. If no agreement is reached during mediation, more sessions can be scheduled to seek a fair agreement. Although costs are also likely to be higher when the parties have legal representation, ***involving an attorney in the mediation process is definitely in your best interest.*** In general, ***mediation is less costly than a full divorce trial.***

Do I Have to be in the Same Room with the Other Party During Mediation?

One does *not* have to be in the same room as their spouse during divorce mediation. ***If the divorce parties do not get along well, this may jeopardize the chances of reaching a resolution.*** In such cases, the parties will sit in different rooms, and the mediator will shuttle between the rooms. This is commonly referred to as “*caucus*”.

Legal Representation from Salt Lake City Attorney David Pedrazas

Are you looking for legal representation during your divorce mediation? Having an *experienced family law attorney by your side* throughout the divorce mediation process can help to ensure that you come to an agreement that is in the *best interest* of you and your family. **Let the [Law Office of David Pedrazas PLLC](#) represent you and protect your interests by providing the *knowledge and strategic expertise* needed to get you the *results you deserve.* [Contact the Law Office of David Pedrazas](#) in Salt Lake City, Utah for your *free case evaluation* today. Call us today at **(801) 263-7078.****