

Mediation is an effective tool if both parties can agree to participate

You offer mediation as part of your services. Both sides must agree. How is the mediator chosen? When both parties are aligned, mediation can offer a more private, less time consuming, more collegial, and lower cost road to divorce. When choosing a mediator, you want to look for someone who will remain neutral and treat both parties with equal fairness and respect. The mediator should be trained in divorce mediation and have experience mediating divorces. Check references and determine if the mediator's style is what you're looking for. Some mediators are highly directive while others offer a more facilitative approach. Both styles

can be effective so just make sure the style suits you and your spouse.

Once committed to mediation, is there a right to appeal the ruling? There isn't a "ruling" per se in a mediation. Typically, a mediator listens to the interests of each spouse, explains how the court would likely rule any disputed issue, and helps the parties draft a settlement agreement. A mediator does not have the ability to decide on an issue if the parties cannot agree. If a spouse changes his or her mind after a divorce decree has been entered, the person who wishes to make a change would need to ask the judge to set aside or modify the divorce decree.

Covid certainly must have impacted divorce proceedings across the board. Have you seen a rise in the divorce rate since the pandemic began early this year? There is no question that the pandemic has caused a strain on many marriages. Sick family members, managing virtual schooling for children,

working from home and being unable to engage in many recreation activities has taken its toll on many marriages. We know that external stressors have a worse effect on couples with pre-existing vulnerabilities, and COVID-19 has certainly presented many stressors. Couples whose relationships were already rocky may have finally reached their breaking point. Since March, we've seen a surge in marital dissolution cases as well as an increase in domestic violence. In addition, COVID-19 and state law restrictions on traveling have caused additional custody disputes.

Are most hearings now held by video-conferencing? Currently all family law court appearances are conducted via video-conferencing.

Given the priority assigned to criminal cases, is it even possible to receive a court hearing at this time? Yes, family law matters are being heard; however, there is a delay in processing paperwork and receiving a hearing date.

