

KNOW YOUR RIGHTS: DIVORCE MEDIATION FAQs

Divorce doesn't have to involve stressful and prolonged litigation. Mediation is a great avenue to find common ground without the challenges of going to court. Below are FAQs to help you decide if divorce mediation is right for you.

HOW DOES DIVORCE MEDIATION WORK?

- During the process of mediation, a mediator helps you design an agreement between you and your spouse. Mediation sessions take place via video conference (Zoom). If you have a smart phone, you can use it to participate in the mediation.
- In the case of divorce, the mediator will file your signed agreement with the courts so a judge grants you a divorce judgment and you will not have to appear before a judge. The process is only on paper.
- In cases of parenting time/child support between unmarried parents, one of the parents will need to file a petition in Family Court to ask a judge to "so order" the agreement, which means that the agreement is now as if a judge made the decisions, but you made the decisions.

HOW WILL I KNOW IF THE AGREEMENT IS IN MY BEST INTEREST?

- LSNYC will pair each of you with a free consulting attorney who will advise you of your rights and obligations and review your agreement before you sign it.

WHAT TYPES OF CASES USE MEDIATION?

- Divorce, including the division of debts and property.
- Parenting agreements (such as custody and visitation).
- Child and spousal support.

HOW DO I KNOW IF I QUALIFY FOR MEDIATION?

- LSNYC provides free mediation services to people with limited financial resources. To determine if you are eligible, we will look at both of your incomes, assets, debts and other factors, such as the number of children you have.
- We do not mediate if domestic violence, drug/alcohol addiction, or child abuse/neglect occurred during your relationship.

WHAT HAPPENS IF WE DO NOT REACH A RESOLUTION?

- Going to court is always an option. What was said in mediation is confidential and may not be used in court.



917-661-4500