

FAMILY MEDIATION FREQUENTLY ASKED QUESTIONS

Is mediation available during the COVID-19 pandemic?

Yes, mediators are delivering this service over the telephone or by video-conference to adhere to social distancing restrictions and protect the health of clients and staff.

What is family mediation?

Family mediation is a collaborative way of resolving disputes between people with the guidance of a mediator. The JSG Family Mediation program provides a safe and informal place for parents to have a productive discussion, and the opportunity to work together to come up with mutually agreeable solutions in the best interests of their children.

What is pre-mediation?

Pre-mediation is a private meeting with the mediator. This meeting is usually scheduled for one hour and takes place over the phone/video conference during COVID-19, and is normally available in-person. During this meeting, the mediator will explain the process of mediation, go through a Safety Assessment, review the Consent to Mediate form, get a sense of the readiness of each person to participate in mediation, collect contact information and find out briefly what the issues and concerns are.

Why choose mediation?

Mediation allows parents to make their own decisions together and retain control of the outcome. It can also save you time and money. It is confidential and provides you with the chance to explore a wide range of possible solutions.

Is family mediation voluntary?

Yes, family mediation is voluntary. If you choose not to continue with mediation at any time, the mediator can discuss other options available to you through Resolution Services.

What issues can be discussed in mediation?

The parties or parents determine what is discussed in mediation and both people must agree about which topics to discuss. Participants should be prepared to bring their issues and parenting concerns to the sessions. Examples of topics discussed in family mediation may include parenting, communication, child support, division of property and spousal support, and general family/parenting situations.

What is the role of the mediator?

A mediator is an impartial third party. Their role is to facilitate communication and assist parents to negotiate a voluntary resolution of their issues. The mediator strives to be neutral and unbiased in the mediation and does not provide legal advice, decide if anyone is right or wrong, or make decisions for the participants.

What is your role in the mediation?

Your role in the mediation is to participate in a conversation with the other person, to be clear about your concerns and needs, and to be open to listen to the other person's concerns and needs. The goal is to work together to come up with solutions that you both agree upon.

Where and when does mediation take place?

Mediation will take place over the phone or by video conference during the COVID-19 pandemic. Mediation is normally available in-person. The date and time of when mediation occurs is going to depend on the parties' schedule as well as the mediator's availability. When Alberta Health Services determines it is safe for in-person meetings, mediation may occur in-person. Mediation is generally available during the day between 8:30AM and 4:30PM, however some exceptions may be made on a case by case basis.

How long will the mediation take?

A mediation session is usually scheduled for two hours and one or more sessions may be required depending on the number and complexity of issues. Most disputes are resolved in one or two mediation sessions.

Is mediation private and confidential?

Conversations taking place during mediation are private. Generally, it is only the individuals involved in the dispute who attend the mediation. The parties decide whether conversations in mediation stay between them or are shared with others. The mediator does not share any of the information discussed in the mediation outside of the meeting. However, if the mediator becomes aware of a perceived threat to any person, the mediator must report this to the appropriate authorities.

Can other people attend the mediation with you?

Generally, it is only the people involved in the dispute who attend mediation. Other people may only attend if the parents or clients agree ahead of time and the roles of the others are clarified. For example, this could be a support person, a lawyer or an interpreter. It is important to note that others participate as silent observers or to provide emotional support. In mediation, parties speak for themselves and are not represented by an advocate.

Do I need to sign any documents?

The only document that you will be asked to sign is the Consent to Mediate at the beginning of the mediation. The purpose of this document is to be clear about the

parameters of mediation including confidentiality and to confirm your commitment to proceed with mediation. Feel free to ask your mediator any questions about the Consent to Mediate prior to the mediation.

What happens in mediation?

The mediator meets with the parents or participants and asks them what they would like to discuss. The focus of the mediation is always on the children and what is best for them. The mediator facilitates a conversation between the parents and makes sure that each person has the opportunity to explain their concerns and needs. The mediator encourages them to listen to each other to try to understand the other's perspective. The mediator also encourages the parties to create options that will meet their children's needs and work for both parents. The mediator records all agreements in a Mediation Report and the parties each receive a copy. The Mediation Report is not legally binding, but can be used as the basis of a legal agreement or Court Order.

How do I make my Mediation Report legal?

You can make the decisions captured in your Mediation Report legal with the assistance of a Family Court Counsellor with Resolution Services, or through a lawyer.

What are my legal rights?

The mediator cannot provide you with legal advice. You should speak with a lawyer or with an organization such as Legal Aid Alberta if you wish to get legal advice. It is recommended that you know your legal entitlements and responsibilities prior to entering into a legal agreement or Court Order.

What is the cost involved?

At Resolution Services there is no charge to participate in family mediation as long as you qualify. The service is available to separated parents where one parent earns \$40,000.00 or less per year and there is at least one dependent child.

For more information or to participate in family mediation, please contact:

Calgary	403-297-6981
Edmonton	780-427-8329
Elsewhere in Alberta	403-355-2414

<https://www.alberta.ca/family-mediation.aspx>