

# **MA Guard & Reserves Family Mediation Program**

*(Also serving veterans)*

## **Mediation Information Sheet**

Members of the National Guard, Reserves, veterans and their families are invited to use the mediation services of the Massachusetts Guard & Reserves (MAG/R) Family Mediation Program. The program is available to resolve parenting plan issues between never-married, divorced, or separated parents (biological and/or adoptive) who are no longer living together.

The Program is administered by the Massachusetts Office of Dispute Resolution & Public Collaboration (MODR), an institute of the University of Massachusetts Boston. MODR's mission is to promote effective conflict resolution and collaborative practices within government and communities state-wide. In this program, MODR works in partnership with nine community mediation centers located across the state. These centers currently provide a range of free or low-cost mediation services in their local communities and courts, with a focus on resolving conflicts in families, homes, schools, neighborhoods, and small businesses. For this program, they schedule the mediations, assign and supervise the mediators, mediate and follow up with people afterwards.

### **What is mediation?**

Mediation is an informal way to resolve disagreements. It promotes communication and co-operation. A neutral person, the mediator, helps those involved better understand the issues, explore creative solutions, and reach agreements that are acceptable to both parents. The mediator does not tell people what to do or make judgments about who is right or wrong. The decision-making stays with the family where it belongs. People are more willing to comply with an agreement that they themselves negotiated. Mediation is voluntary, collaborative, and flexible. It is also confidential (Massachusetts General Law c.233, s.23C).

### **What happens in mediation?**

Mediation sessions usually last a couple of hours to fit the scheduling needs of both parents. Typically, the mediation begins with a joint meeting of the parents and the mediator (or co-mediators), where the mediator explains the mediation process, answers questions, and asks each person to describe what the dispute is about. As the mediation gets underway, the mediator may meet individually with each parent. Between sessions, the mediator may make contact by telephone to help move things along.

During mediation, the mediator listens to your concerns, asks questions to learn more, and helps you identify areas for possible agreement. Parents are encouraged to talk about their own desires and plans as well as the present and future needs of the children in an open and positive way. The focus is on the future rather than the past. These discussions can help clear up misunderstandings and ambiguities, provide a fresh perspective, and enable both of you to shape your own parenting plan that is mutually acceptable. The mediator will help you write up the agreement, which you both sign.

## **Who should participate in mediation?**

Participation in mediation is voluntary. Sessions may include whoever is necessary to resolve the issues. Children typically do not attend mediation unless you both agree that older children's participation would be helpful.

## **How to prepare for the mediation session?**

Mediations are set up by a case coordinator, who is a trained mediator and staff member of one of the nine community mediation centers. The case coordinator is there to answer your questions, learn more about the issues, work with both parents to schedule the session, and talk to you about who should attend, and whether any other resources and/or services are needed. Part of the preparation for the first session is the review of an "Agreement to Participate in Mediation", which is used to invoke confidentiality protections. It outlines the responsibilities of the parties and the parameters of the mediation process. Everyone attending, including the mediator, will sign it before the session begins. In some instances, you may be asked to submit documents and/or a brief written outline describing the issues in advance of the session. The outline is confidential and provides the mediator with each parent's viewpoint.

## **Who are the mediators?**

The mediators in this program have been trained in managing the mediation process, have experience mediating family cases, and have knowledge of the unique challenges facing children and youth in military families. They are neutral and objective; their role is to help parents work cooperatively in resolving their disputes. They are qualified to mediate in probate and family court and are supervised by the community mediation centers they work with, under the oversight of the Massachusetts Office of Dispute Resolution. They are assigned based on the needs of the case and the mediator's style, background, and experience.

## **What does mediation cost?**

There is no cost to families for the first six hours of mediation. You may request additional mediation time, but mediation fees may be charged in the event that program funding is not available to cover the extra time.

❖ For questions about the program or to schedule mediation, please contact:

Mette Kreutzmann, MAG/R Program Coordinator  
MA Office of Dispute Resolution & Public Collaboration (MODR)  
University of Massachusetts Boston,  
100 Morrissey Boulevard, M-1-627, Boston, MA 02124  
(617) 287-4041  
mette.kreutzmann@umb.edu

❖ For questions about a scheduled mediation session, please contact the community mediation center coordinating your mediation.