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Conflict Resolution through Meditation in Divorce by Robet Albert

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The purpose of a divorce is to dissolve a marriage and although that goal may be simple, the legal process to achieve the dissolution of a marriage, it is often complex. State laws vary regarding the person seeking a divorce. Many states have adopted the provision of the divorce without fail that does not require a court to find the misconduct of a spouse, adultery or abuse has been filed. Instead, the court may grant a divorce based on irreconcilable differences or by showing that the marriage is no longer viable.

Even though both the parties are assured that the divorce is possible, yet to think in terms of the divorce, it is hard to take decisions relating to maintenance, child support, child custody and property division. If the parties cannot reach agreement on these decisions, then the court will take decisions on behalf of the couple. Many divorcing couples want to keep as much control over these decisions as possible and in accordance, agree to mediation to reach an agreement that can be presented before a judge.

It is important to note that most mediation agreements are not all or nothing deals. For example, if you come to agreements about the division of property, food and child support, but not on child custody, then most courts will accept your mediated divorce settlement in these areas and only decide on custody over the children.

Although divorce mediation is appropriate in most cases for the reasons described above, there are situations where it is not appropriate. For example, if a spouse is afraid or intimidated by the other, then the interests of the spouse will be better protected in court. While mediation can work, it is important that a spouse, who is afraid of another, is represented by an independent director.

Often a divorce is difficult. Mediation does not resolve all the difficulties, but allows both spouses to communicate and walk hand in hand with a negotiated settlement approved by each of them, so it starts working in your future.

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