

## **Family Law Bar: Letter for clients re: the mediation process or collaborative family law process**

### **Dear Separating Spouses and Parents:**

If you have a copy of this letter, you are probably getting divorced or having problems working out a parenting plan for your child(ren). You may also be angry or hurt. Before you rush into court, stop and think about what you really wish to accomplish. If you feel a need to punish your spouse or partner, or to feel supported, the court system will not satisfy such needs. In fact, it often does the opposite and is not the best way to solve family and personal problems.

There are many ways to resolve your disagreement, without fighting in the courts. Two of the best methods are to work things out by participating in the Mediation Process or the Collaborative Family Law Process.

### **The Collaborative Family Law Process**

In the Collaborative Family Law Process, two lawyers specially trained in negotiations and conflict resolution represents you and your partner but only for the purpose of helping you settle your case. These two lawyers can never go to court for you. If you and your spouse or partner cannot reach an agreement, you can terminate the Collaborative Family Law Process and go to court. But, your Collaborative Family Law Process lawyers cannot go to court with you. They are out of a job if they cannot help you reach a mutually acceptable settlement. More information about the Collaborative Family Law Process is available at the Family Law Information Centre (FLIC) on the second floor of the courthouse.

### **The Mediation Process**

In the Mediation Process, you and your spouse or partner will meet with a trained family law mediator. The mediator will assist you and your partner to make your own decisions to settle your differences, regarding parenting, support and property issues. In addition, you may wish to consult with a lawyer to make sure

your rights are protected. There is a Mediation Service available right here at the courthouse at FLIC.

### Parenting Information and Education Sessions

You can also sign up for Parenting Information and Education Sessions at FLIC, which can assist you in understanding the impact of separation on your children.

Please think carefully about the choices that are available to you. Going to court is expensive, tends to fan the flames of conflict, often results in personal attacks and often results in both sides feeling dissatisfied by the end of the case. On the other hand, the Collaborative Family Law Process or Mediation can result in a resolution that is less expensive, less hostile, takes less time and money, and is more creative. The choices you make now can have an enormous impact on you and your children for the rest of your life.

More information about Collaborative Family Law, Mediation and Parenting Education is available at the FLIC at the courthouse, 161 Elgin-2<sup>nd</sup> floor, Ottawa, ON K2P 2K1.

Justice M. Fétivier