

MY CO-PARENTING HANDBOOK III



**PREPARE FOR
MEDIATION**

Mediation

**By working themselves to identify solutions.....
parties become empowered.**

**Bush and Folger
"The Promise of Mediation"**



Handbook

MISSION

It is our goal to offer communication and conflict management skills to divorcing parents so that they can successfully engage as co-parents. Preparing for mediation is essential as it not only paves the way for how you will resolve the conflict at hand but future conflicts as well.

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**Are You
Ready?**

**Co-Parenting
Pre-Mediation
Handbook**



**CO-PARENTING
GUIDE**



PREPARE FOR THE DAY

Every step you've taken to this point has been to get past your current conflict. Mediation may not only define how you resolve your present conflict but any future conflict as well. Preparing for mediation is one of the most important underlooked and undervalued events in the divorce process. e .

MEDIATION:

To Do List

1-

Be Prepared

2-

Be Ready to Work

3-

Show up on Time

4-

**Use the Mediator's Time
Wisely**

5-

Have the Right Attitude

YOU'VE ENCOUNTERED CONFLICT EVERY DAY

You resolve conflict every day without the need for court intervention. You separate simple disagreements with deep entrenched conflict. You collaborate, accommodate, avoid and compromise. We take these basic skills into the mediation room. .



SKILLS YOU NEED TO CONTINUE TO RELY UPON

**MAINTAIN A WORK-LIKE ORIENTED
APPROACH**

**RELY ON A TEAM-BASED APPROACH TO
RESOLVE CONFLICT**

**BE READY TO ENGAGE IN CHALLENGING
CONVERSATIONS**



Maintain Rules Engagement

- 1. Maintain BIFF-engage like you would at work**
- 2. Allow Your Mediator to provide options to work through the obstacles you and your ex have in reaching agreements.**
- 3. Always be ready to LISTEN UNDERSTAND AND RESPOND TO YOUR EX.**



A person wearing a white long-sleeved shirt and a black and white striped apron is holding a wooden gavel. The background is blurred. A red rectangular box is overlaid on the left side of the image, and a red inverted triangle is overlaid on the bottom right. A white horizontal line extends from the right side of the red box towards the gavel.

**DURING
MEDIATION
IDENTIFY
YOUR
CONFLICT**

**Communicate
Negotiate
Evaluate**

Begin to Communicate

Co-Parenting Pre-Mediation Handbook

FORM-1



**STATE BASICS
AGREEMENTS**



**DON'T WASTE
TIME AT
MEDIATION.**

LIST BASIC AGREEMENTS

There are certain basic agreements that can be listed out prior to the mediation beginning. .

Not everything is a fight or to be used as part of a negotiated settlement.

Providing a list of agreements reached at the beginning of the mediation

- entices parents to move forward and engage with one another during the mediation process
- helps the mediator to focus the parties on the genuine issues the parties have in dispute

Basic Agreement

Property - Form 1

| Division of Items inside Home | Division of Items inside Home |
|-------------------------------|-------------------------------|
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LIST - Agreed
Valuation of Assets
and Debts



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DIITEMS THAT
CANNOT BE AGREED
TO

DIITEMS THAT
CANNOT BE AGREED
TO

Basic Agreement

Property Form - 1a

| | | | |
|---|---|---|--|
| | |  | |
| Agreed Division of Accounts Life Insurance and Vehicle | Agreed Division of Accounts Life Insurance and Vehicle | | |
| | | | |
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| | | | |
| | | | |
|  | Agreed Valuation of Assets and Debts | | |
| | | | |



RED FLAG
your
DISPUTES

**List Outstanding
Disagreements
Property**

**Define
Your
Conflict**

Basic Agreement

Parenting Plan -2

CONSERVATORSHIP
RIGHTS AND DUTIES

CONSERVATORSHIP
RIGHTS AND DUTIES



**SCHOOL
HOLIDAYS
BIRTHDAYS
SUMMER SCHEDULE**

PICK UP AND RETURN
LOCATIONS

TELEPHONIC
COMMUNICATIONS

Basic Agreement

Parenting Plan-2

CONSERVATORSHIP
RIGHTS AND DUTIES

CONSERVATORSHIP
RIGHTS AND DUTIES



**TELEPHONIC ACCESS
SCHOOL
EXTRACURRICULAR ACTIVITIES**



**List Outstanding
Disagreements
Parenting
Plan**

Define
Your
Conflict

Co-Parents

Co-Parenting Pre-Mediation Handbook

Communicate



**AGREE ON THE
BASICS
BEGIN TO
COLLABORATE**



FOCUS ON THE ISSUES USING A TEAM BASED APPROACH



Taking a problem centered approach helps communication continue throughout the mediation.

Exploring option to the problems at hand allows the parents to think through the problem, collaborate and put their signature trademark on the agreement reached.



NEVER START A CONVERSATION BY TAKING A POSITION



PRESENT YOUR GOALS LIST YOUR ISSUES STATE YOUR CONCERNS

Studies show that parents who can listen, understand and respond to one another have the best chance to resolve conflict.

Begin to list goals issues and concerns. Share this list with your ex, compare notes.

1. See where you share similar goals and concerns.
2. Where are your differences forming?
3. Where are there simple misunderstandings- where are their genuine disputes?

LIST

| Goals | Issues | Concerns |
|-------|--------|----------|
| - | - | - |
| | | |
| | - | - |
| | | |
| - | - | - |
| | | |

WHICH GOALS, ISSUES AND CONCERNS ARE SHARED?

WHICH GOALS ISSUES AND CONCERNS ARE DIFFERENT?

Collaborative - List

| PROBLEM Encountered | Professional Involved Resource Used | Possible SOLUTION |
|--------------------------------|--|------------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |





Define
Your
Conflict

**List Outstanding
Disagreements
Property**

List Outstanding
Disagreements
Parenting Plan



Define
Your
Conflict

Co-Parents

**Co-Parenting
Pre-Mediation
Handbook**



NEGOTIATE



CO-PARENTING HANDBOOK

When Collaboration Fails.....



Stating basic agreements and collaborating helps the parties start communicating during the mediation. When collaboration breaks down communication may continue between the parties simply focusing on alternative ways every day people resolve conflict.

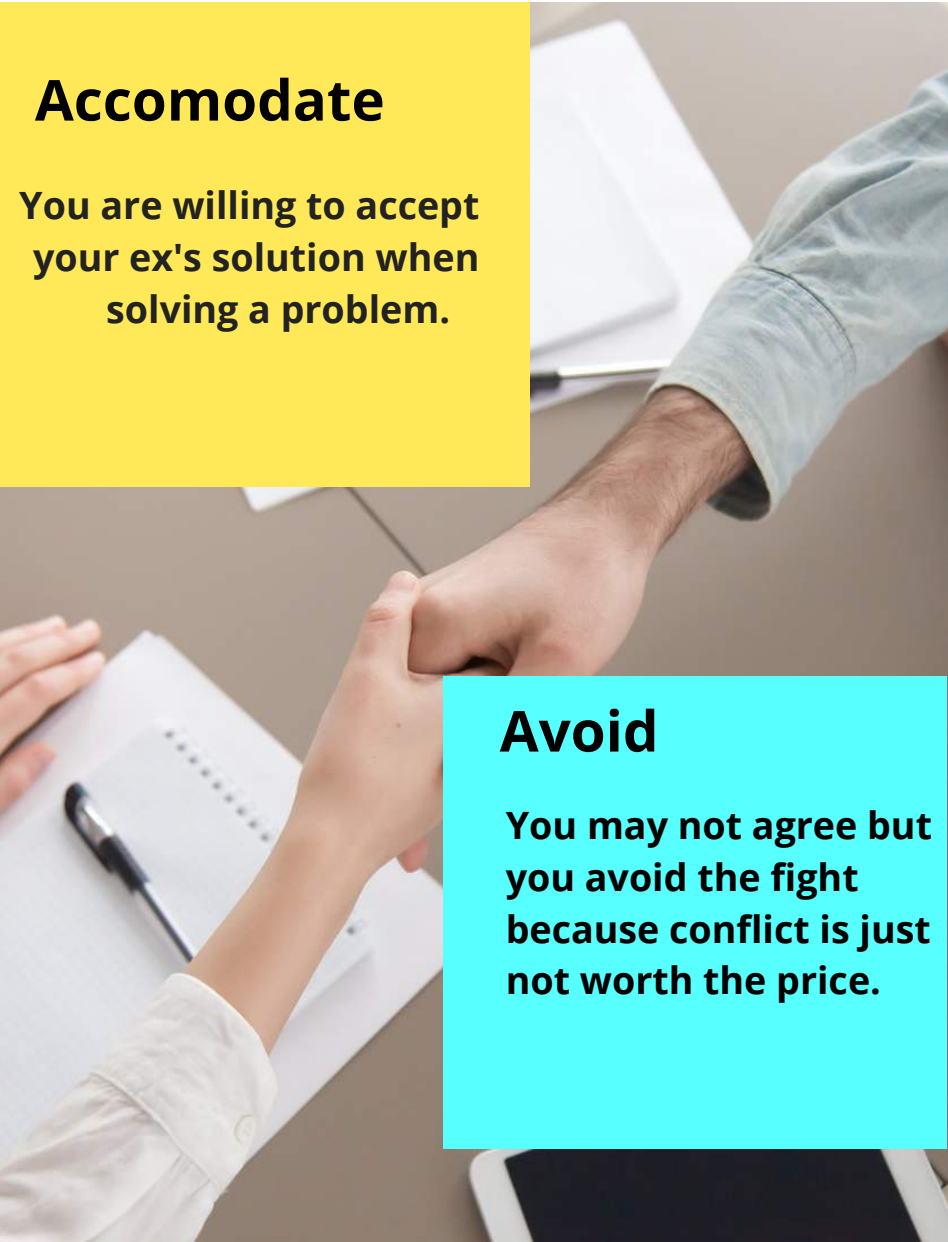


Accommodate

You are willing to accept your ex's solution when solving a problem.

Avoid

You may not agree but you avoid the fight because conflict is just not worth the price.



Compromise

Coming up with a midpoint settlement so each side benefits.

Compete

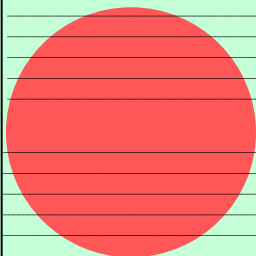
When Communication ends and Positioning begins.



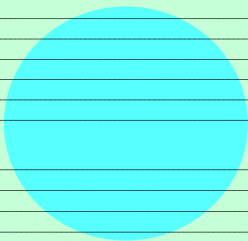
Negotiation Chart

Remaining Issues

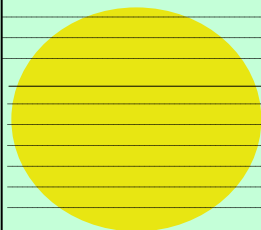
I WON'T AGREE ON:



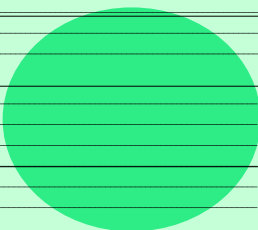
I'M WILLING TO AVOID CONFLICT AND AGREE TO:



I WOULD BE WILLING TO ACCOMODATE



I WOULD BE WILLING TO COMPROMISE





DEFINED CONFLICT

**BEFORE YOU END THE
NEGOTIATION PROCESS
ALLOW THE MEDIATOR TIME
TO PROVIDE OPTIONS**

**Your mediator is a skilled professional who
has done his or her share of successfully
negotiating agreements. Don't stop
communicating!**



**List Outstanding
Disagreements
Property**

**Define
Your
Conflict**



List Outstanding Disagreements Parenting Plan

Define
Your
Conflict

Co-Parents

**Co-Parenting
Pre-Mediation
Handbook**

Evaluate



EVALUATE

WHEN COMMUNICATION FAILS

You've listed your basic agreements, problem solved and negotiated. By this point there may be a few issues outstanding that just can not be agreed upon.

At this point the mediator will begin to challenge the parties legal positions, legal theories and ability to present an effective case at trial.

What would be the cost for pursuing a jury trial, as to attorney's fees and witness fees.

What additional expert's would need to be hired to present this case at time of trial?

How long would it take to get this case on the trial docket.

When the matter is resolved it may result an outcome that neither party is happy with.

There may be points of law that require an evaluation of the parties positions.

Regardless, do the best you can to limit the issues that need to be evaluated by the mediator.

About the Authors

Matt Sossi is a family law attorney in San Antonio, Texas. Matt Sossi is an amicus attorney, parent facilitator, parent coordinator, and family law mediator. Trained as a collaborative family law attorney, Matt Sossi been helping to divorce families in San Antonio, Texas since 1995..

Joy Curbow is a family law mediator in San Antonio, Texas. Joy Curbow's background is in social work. Joy Curbow is a member of AFCC and has received training through Cornell University in conflict management.



MY CO-PARENTING HANDBOOK II

CONFLICT MANAGEMENT

MY CO-PARENTING HANDBOOK I

Choose

Apple Guide: For Parents Who Position

Orange Guide: For Parents Who Collaborate