

Working Towards an Amicable Resolution

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Mediation is one of several Complementary Dispute Resolution Programs governed by New Jersey Court Rule 1:40. This court rule is set forth in its entirety on our [Judiciary's website](#). The mediation process enables parties to resolve a family law matter in a structured manner with the assistance of a neutral and impartial mediator. The parties meet with the mediator and work towards an amicable resolution of all issues pertaining to their divorce, civil union or custody matter. In some instances, counsel for the parties may also participate in the process.

Mediation provides an excellent opportunity to settle sensitive questions about custody, parenting time, child support, alimony, equitable distribution of assets/liabilities and counsel fees. Mediation may be a desirable alternative to lessen the substantial emotional and financial costs of a family law matter, especially when compared to litigation. If an agreement is reached, the parties are advised to review the agreement with independent counsel.

Advantages of Mediation:

- Mediation may save time, costs, and be a more pleasant way to resolve issues. Litigation often includes Case Management Conferences, formal discovery, Early Settlement Panels, Intensive Settlement Conferences, Pre-Trial Conferences and Trial.
- Mediation is a fair and neutral process where the mediator has no personal interest in the outcome beyond assisting the parties in reaching an amicable settlement. The mediator may assist the parties in finding creative solutions to the issues in dispute.
- Mediation takes place in the neutral setting of the mediator's office. The parties do not have to endure frequent appearances at a county courthouse where sheriff's officers monitor every action, a court reporter records every statement and parties are consumed with the anxiety of a court proceeding and lack of privacy. At mediation, any notes taken by the mediator are discarded at the conclusion of mediation and the parties' personal lives do not become part of a public record.

If you have a question or wish to discuss this topic with one of our family lawyers, please give Joe a call at **(732) 352-9871**.

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