

Mediation



What is Mediation?

- A neutral party, known as a mediator, meets with parties and assists them in working towards reaching an agreement as to the issues existing between them.
- We cannot guarantee that an agreement can be reached.
- If an agreement is not reached, we still learn information about the other side's position (their strengths and weaknesses) and our strengths and weaknesses.
- The mediation process is confidential, and anything disclosed at mediation cannot be compelled for use in Court.

Cost

Each mediator sets own rates

Both parties share the costs, unless agreed otherwise at mediation

Not included in your retainer

Length

Can range from three hours to all day

May require a second mediation session

Process during Mediation

- The mediator first goes over the process and how it will work to ensure that everyone has a common understanding.
- Issues are addressed as they are identified, and resolutions are explored for each one.
- Keep in mind the mediator does not dictate but interacts with the parties to help facilitate settlement.
- The mediator may provide suggestions for different resolutions based on discussions, suggestions based on past experiences, or even suggestions based on the individual needs of the parties.
- At the end a Final Hearing will be requested.

Other Information

- The more preparation that can be done on these issues, the more streamlined the process will be.
- It is important to remember that a mediator is not a judge and cannot compel action or order the parties to do anything.
- Finally, keep in mind these two important pieces of information:
 - (1) Mediation is required for all contested actions in South Carolina; and
 - (2) You and your spouse will not be in the same room during mediation.