

The Referral Process

This is how Mediation Occurs:

Mediation may be requested by any party or may be ordered by the court



Mediation Program will confirm time, place and location with all parties



Parents talk to his/her attorneys before the mediation about the issues to be discussed



Mediation Session is completed and...



If an agreement is reached: it is signed by the parties and reviewed by the attorneys. The case is returned to court for review and approval of mediation agreement.

If no agreement is reached: the case proceeds to the previously scheduled court date.

What People Are Saying About Mediation

Parents

"This is the first time I ever got the chance to say what's really going on for me. My ideas helped solved the problem"

Child Welfare Worker

"Allows for more open dialog and gives parents the opportunity to voice their feelings and concerns"
" All parties leave feeling they were heard by a neutral party and put a plan together"

Lawyers

"Mediation is a respectful process where everyone's interests get heard. Not every dispute needs a full hearing"

Judges

"Some of the best plans are the ones that families make in mediation"



Families & Children's Bureau
Dependency Mediation Program
400 Broadway, 3rd Fl-Annex
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Superior Court of California
County of Alameda

Dependency Mediation Program



PROBLEM SOLVING
TOGETHER



What is Mediation

Mediation is an informal, confidential, process where the family members, child's attorney and child welfare worker, meet **with an impartial third person** to explore how they might resolve differences and make agreements that take care of the children.

Why Mediation?

To **Encourage** open and clear communication between all parties (family members, attorneys, child welfare workers and others).

To **Ensure** that everyone's concerns are heard and understood.

To **Create** an informal atmosphere in which honest and good faith discussions can take place.

To **Focus** the parties discussion and ensure that all referral issues are addressed.

To **Suggest** specific ways to resolve the disagreement.

To **Help** the parties create their own agreements. The mediators **do not** make decisions; they **do not** make recommendations to the judge.

What We Talk About in Mediation

Petition Language
Case Plan Details
Placement & Visits
Family Maintenance
Clarify Expectations
Clear Up Misunderstandings
Parenting Plans
Custody & Visits After Dismissal

How To Prepare For Mediation

Talk with your attorney about what needs to be resolved.

Think as a family about what's best for the child(ren).

What do the Children need now?

What can you do to make things better?

What can family members do?

What can a child welfare worker do?

Come ready to participate

How It Works

Family members, child welfare workers, & children's attorney, all meet together with the mediators to discuss the case and explore solutions.

Mediation is entirely confidential, except as to any new allegation about child abuse or neglect that is **not confidential**.

Everyone present at the mediation has the opportunity to share their concerns and offer ways to make agreements which will strengthen the family while protecting the children.

Mediator may meet with people individually or in small groups.

Agreements are reached when everyone agrees.

Mediator summarizes the agreements and clarifies everyone's responsibilities and expectations.

Agreements reached in mediation are reviewed by the parties attorneys and returned to court for approval.

