

# Parenting Mediation Program

Family Division Services • Circuit Court for Montgomery County • Judicial Center  
50 Maryland Avenue, Room 220 • Rockville, Maryland 20850 • 240-777-9080

## What is the Parenting Mediation Program?

The Parenting Mediation Program is a free service offered by The Circuit Court for Montgomery County. It is a non-adversarial and impartial process that is provided to help families come to their own decisions and resolve their parenting disputes.

### Parenting Mediation...

- Is separate from the litigation process.
- Is a service to help parents work together in the best interest of their children.
- Is not marriage counseling or reconciliation therapy.
- Is not admissible as evidence in court.

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### IMPORTANT INFORMATION

1. Each parent will receive a confirmation notice from the court reminding you of your scheduled mediation sessions. If you have recently moved, please provide your current address, in writing, to the Clerk of the Court:

Clerk of the Court  
50 Maryland Avenue  
Judicial Center, Room 107  
Rockville, MD 20850

2. If you have questions about the mediation process or wish to speak to your mediator please call 240-777-9080.
3. In the event of inclement weather, your mediation appointment may be rescheduled. Please call 240-777-9100 to find out if the Courthouse is closed.
4. Each parent must fill out and bring the completed Confidential Parenting Mediation Questionnaire to the receptionist in room 220 before leaving the courthouse.

### Dear Parent:

Welcome to the Parenting Mediation Program. The Circuit Court for Montgomery County is pleased to provide a free service — parenting mediation — to help resolve parenting issues.

We recognize that this is a difficult time for all parents, married or not, who are trying to resolve a dispute about parenting or related issues. As people who are responsible for children, it is important to establish workable and effective plans for meeting their needs.

We believe that you know and understand the needs of your children better than anyone else, including judges, masters and court staff. Mediation can assist you in establishing arrangements that will help your children and keep both of you involved in their lives.

The decisions you make with the help of the Parenting Mediation Program will be among the most important that you as a parent will ever make. The future of your children will be determined by your wise, thoughtful, loving and deliberate involvement in this service. We urge you to think about mediation in this way; put the interests of your children first and commit yourselves to resolving your personal disagreements.

Please review the following helpful information about typical mediation issues and tips for helping your children during this period.

*from the Family Division Masters*

# What is the Parenting Mediation Program?

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- Is not a service that makes parental decisions for you.
- Is not a service that forces you to come to an agreement.
- Is not a service that provides legal advice to the parents.

## Who are the Mediators?

Family Division mediators have specialized training dealing with family problems and conflicts. The professional backgrounds of the mediators may include social work, psychology, and law.

## Procedures for Parents

The court order requires you to attend two mediation sessions of two hours each and specifies your mediation dates and times.

## What are the Issues That May Need to be Addressed During the Mediation?

- Time sharing arrangements
- Decision making responsibilities
- Strategies for resolving future conflicts
- Communication between parents concerning the children
- Communication with the children
- Holidays and special occasions
- Vacation time with the children
- Other issues may include: school placement and after school activities, medical emergency plans, religious development, transportation.

## What are the Parents' Responsibilities?

- Developing a workable plan that gives children access to both parents
- Keeping and/or establishing ongoing contact with children so that they will not feel rejected or

abandoned. Reassuring children they can still love both parents and that both parents continue to love them

- Alleviating children's fears about their future
- Keeping children from being in the middle of parental conflicts

## No Recommendations Are Made to the Court by the Mediators

The mediator does not make a recommendation but does submit a report to the Court, stating whether the parents attended and whether agreement was reached. The purpose of mediation is to assist parents to reach their own solution to the problems of custody and visitation.

## Confidentiality of Mediation

The information obtained by the family mediator is confidential, except that suspected child abuse or neglect may be reported to Child Welfare Services. Neither the mediator nor the parents may testify in court about statements made during the mediation.

## If the Parents Reach an Agreement in Mediation

If parents reach an agreement, the mediator will provide copies of a proposed "Parenting Agreement" to the parents and their attorneys. If the agreement is acceptable, it can be put on the record at the time of the settlement conference, or it may be attached to a Consent Order and forwarded to the Court prior to the settlement conference.

## If the Parents Do Not Reach an Agreement in Mediation

When parents do not reach a mediated settlement for their parenting issues the case continues through the court system.

### PLEASE DO NOT BRING THE CHILDREN

The court cannot provide child care during the mediation.  
Please arrange for child care for the times assigned by the court for your mediation.

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# The Best Interest of the Child

*A summary of comments by Dr. Judith S Wallerstein to San Francisco Superior Court Judge Donald B. King.  
Permission to use this material was given by the Los Angeles Conciliation Court.*

## **How do children feel at the time of their parents' separation?**

When parents separate, their children are often worried about what's going to happen to them. The family serves a protective function, a scaffold supporting their growing-up years, and children worry it isn't going to hold. Younger children worry about whether they will be fed, who is going to take care of them, and whether they will have a roof over their heads. Older children may worry about whether they will be able to complete their education.

Children also worry about their parents, especially the parent who has left home. They worry about whether that parent is being fed and if they have a place to sleep. They worry about where that parent is, because they may fear that parent has vanished. They also worry whether the parent remaining in the family home will be able to manage.

## **What makes the difference between whether children do well or poorly after their parents separate?**

It is important for parents to come to terms with their anger and upset after the separation, get it behind them and stop fighting. Otherwise, the hurt and anger can last for years and adversely affect not just the parents, but the children. What helps children is for parents to make use of their separation to settle their feelings about each other and to close the doors on issues that were hot when they separated and not use it as a chance to keep fighting. The mediator can help parents settle differences on their own behalf and, even more importantly, on behalf of the children.

## **What enables kids to do well or causes them to do poorly as a result of the parents' separation?**

The most important factor is for a child to have a continued relationship with both parents after they separate, even if their relationship with one was not very close while the parents were together. Sometimes a child and parent who were not very close can use the separation to develop a more loving and close relationship than they had while the parents were together.

Children who suffer the most from the parents' separation are those who have their relationship with one parent disrupted by loss of contact with that parent. These children never recover the momentum which all children lose when their parents separate and they are unhappy and depressed children in the years following their parents' separation.

## **At the time of separation, how can parents be most helpful to their children?**

How parents act is important because the child needs to think of his or her parents as reasonable and rational people who have taken the decision to end their relationship in a careful and thoughtful way. The child needs to see the parents as people he or she admires and can emulate, as people who are putting aside their anger and who are seriously concerned about what happens to their children and that the child will not be forgotten. Children are very afraid that they will be forgotten.

The child needs to hear from the parents what's going to happen in the future, that is, where he or she is going to live, who will take care of them, where each parent is going to be, that the child is not going to lose one of his or her parents, what's going to happen in the immediate future, and so on. Children need time for intimacy and quiet with each parent, especially the younger ones who need special care and attention when being put to bed. They need to know when the absent parent will be seen again so he or she is not like a jack-in-the-box, just popping up. Otherwise, they are afraid each time they see the absent parent it may be the last time. Children need to know in an appropriate way why the parents are divorcing — not the details, but that the parents loved each other and thought they would have a good relationship together, but it has not worked out so it must end. The child needs to know that in the future each parent will try to do better for themselves and for the child.

## **What is the importance of each parent being supportive of the child's relationship with the other parent?**

It's critical that each parent be supportive of the child's relationship with the other parent and positive about that relationship. Otherwise, the child feels disloyal to one parent by loving the other parent and enjoying their time together. The child feels in conflict between the parents. Each parent should give loving permission to the child to enjoy the relationship with the other parent. This will do more to build good mental health for a child than anything else a separated parent can do.

The child's relationship with each parent must be a conflict-free zone in which the other parent doesn't intrude. The worst thing a parent can do is try to align the child with him or her against the other parent.

# How Parents Can Deal With Conflict

- **Be specific when you bring up a problem or concern.** Be ready with a reasonable suggestion to relieve the problem. Be open to the other parent's proposal. Compromise if an option is available that meets your central concerns for the benefit of your child.
- **When it's better to agree:** if an issue is important to the other parent but not so important to you, the greater benefit to your children may be for you to agree.
- **Deal with one issue at a time.** Skipping around can cause frustration instead of resolution. Break down the issue into sub parts. Maybe you can agree on one or more parts.
- **Try to understand the other parent's point of view.** Listen and ask questions.
- **Acknowledge the other parent's concerns when you disagree.** Try not to argue with or dismiss the other parent's viewpoint. Put your children's needs first, rather than focusing on who is right or wrong.
- **Slow down and think about the other parent's proposal.** Consider how the proposal might benefit the children. Try to hold off on expressing an initial negative reaction to a proposal. Think about how you want to express your view before you speak.
- **Focus on the present and future.** Avoid unnecessary discussion of the past. Parents seldom remember past conflicts the same way. Rehashing them can produce frustration.
- **Avoid name calling.** Words like liar, ridiculous, and stupid, for example, do not help the other parent understand your viewpoint, or to reach a positive understanding. Sentences that start with "you always" or "you never" can lead to verbal conflict.
- **Respect the other parent's viewpoint even if you disagree with it.**
- **Avoid telling the other parent what or how he/she should act or feel.** Statements like that can be received as a message of disrespect. On the other hand, *asking* how the other parent feels, or what their understanding is, can be received as a message of respect.
- **Try apologizing.** When you've done something wrong or when you have, even unintentionally, hurt the other parent, an apology usually helps.
- **Agree to disagree.** Remember you can disagree about an issue without making it personal. Sometimes the healthiest resolution to a conflict is to agree to disagree. Respect your differences.
- **Be a good role model for your children.** This includes giving them tools for healthy conflict resolution.