



TC Mediation

Facilitating Negotiation and Communication

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The ending of a marriage is undoubtedly one of the most life altering experiences that you may face. The details of each divorce are different, but the stories are similar to what you are feeling now.

You probably don't where to begin. Your emotional and physical energy may be depleted and you may start each day feeling as if you have a monstrous mountain to climb without the proper gear or direction. All you know for sure is that this mountain has a name-"***DIVORCE***". You may turn to well-intentioned friends who most likely will encourage you to hire a great attorney.

Many clients have found themselves sitting across from an attorney scared to death of the appointment, their situation, and their future. When questions were launched at them the realization set in that they did not know about many pieces of their life. They were about to spend lots of money to discover the answers to these questions. They left the office with a stack of papers to fill out and feeling completely overwhelmed. The next phase was no less stressful as they did not know how to complete the financial forms nor did they understand all the terms and questions.

People often say that they don't know the options in the "How" to divorce. They believe that going through the Family-Law Court is their only path. That is simply not correct-YOU do have choices. *There is another way.* The divorce process does not have to be this confusing or complicated. That way is through the [Mediation Process.](#)

Maintain your focus on three basic ideas.

1. **Knowledge is Power**-This isn't addressing winning or losing, but more of education of the components of your life and the process so you have a say in how the outcome is crafted.
2. **Get Involved**-This is **YOUR** divorce-don't hand it off to friends and professionals as you watch from the side-lines and as they tell you what you do and don't need or want. The more **YOU** participate, the less helpless you'll feel and the more **YOU** can guide the resolution.
3. **It's Business**. Dissolving a marriage union can be like a business deal. Of course you will have feelings about the house, monies, and debts, but it is unwise to let those feelings get tangled up with your business sense. Don't let emotional issues cloud the process and drag down the proceedings-with you in tow.

WHERE DO WE BEGIN?

We have prepared a **Divorce Action Plan (DAP)** that will be an integral part of your Mediation process with **TC Mediation, LLC**. At your first session you will be given the DAP and we will discuss the process and answer any questions you may have. The DAP has been designed to help you organize your thoughts, your documents, and your next steps all with a plan. You are taking the leadership role of “CEO” of your divorce. CEOs do not have all the answers, they do not work alone, but they certainly have an understanding of how each of their divisions works in the overall best interest of the entire company. Your ‘Divorce Life’ has many divisions: emotional, parenting, co-parenting, financial, legal, and the future.

This plan will be your compass as you take the leadership role of CEO of your divorce. It will help you organize information into manageable pieces to gain a big picture vision of the divisions in your life. This allows you to work better with professionals and gain greater clarity and understanding. Most professionals welcome clients who are educated about their divorce and if they do not welcome this, you may need to seriously consider meeting with an advocate that will value your hard work. Remember, no one will care as much about your divorce and life as **YOU!**

1. Independent expert opinion may be necessary to establish the value of certain assets (such as business interest, real estate, and retirement or pension plans). In that event the participants will discuss and agree on an appropriate method of obtaining that expert information. If the participants decide to obtain one expert opinion, or separate opinions, the participants agree to share those opinions in the mediation sessions. ***The participants will be responsible for the experts’ fees.***
2. In the event that either spouse has caucuses or private sessions with the mediator, the Mediator will hold in confidence confidential information shared with the Mediator at the specific request of the participant(s).
3. No information obtained during mediation by the Mediator will be released to any outside person or organization unless both participants agree, unless there are allegations of child abuse or threat of harm to persons, which must be reported to the proper authorities. The participants hereby authorize the Mediator to communicate with and release information from the mediation to the participants’ attorneys, provided that Mediator will hold in confidence confidential information from a participant received in a caucus or private session.
4. Each participant will be expected to disclose fully all financial information, financial statements, income tax returns, and related financial documents necessary to identify and value marital and separate assets and liabilities. Each participant will prepare a financial form disclosing the marital and divisible property of the participants and his or her separate property, if any. The participants understand that subsequent discovery of undisclosed financial assets may constitute ground for nullifying any agreement reached by the participants.

5. Mediation is a voluntary process, and either participant or the Mediator may terminate the mediation at any time. However, the participants agree that the participant wishing to terminate mediation will do so during a mediation session so that both participants and the Mediator may have an opportunity to discuss termination of the mediation.
6. If the participants are unable to reach an agreement about any or all issues relating to the separation and/or divorce, the participants and the Mediator will discuss options for resolution of the issues. These options may include separate sessions with the Mediator, referral of particular issues to other professionals, or suspension/ termination of the mediation.
7. The Mediator is available for mediation of further disputes concerning any of the terms of the agreement or other issues.

We wish for you the best as you journey through your own divorce process and arrive at the new destination of your future.