

## **MEDIATION...WHAT IS IT AND WHY DO I NEED TO GO?**

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**M**ediation is usually a three hour opportunity for self-determination and resolution.

Attendance and providing a “good faith” effort to resolve issues between the parties is required prior to a final hearing in more than 90 counties in the State of Georgia, including Cobb, Paulding, Bartow, Douglas and Cherokee. You are not required to settle. However, you are required to show up prepared, and willing to attempt to reach a workable compromise.

What most don’t realize about going to trial, particularly in divorce matters, is that you and your attorney are going to have a very limited amount of time to present your case to the court. The judge will see a snap shot in time of your relationship, your children, your assets and your debts and will decide your future based on that. Remember that judges are people. They approach every case they hear with the collective knowledge of their experiences, just like you and I do. They aren’t aware of the sentimentality of your possessions, or a specific family tradition that plays on your heart. They are going to look at your future, with all the integrity of the law, and make a decision based on equitable division from the information presented. You and your counsel can ask the court for things, but the judge has the final say. Let me reiterate, they have the final say. If your case goes to trial, the judge is going to rule on your future because you decided you could not. You gave away your authority and ability to determine the outcome.

However, the Court does not want you to give away your authority to settle. Through required mediation, the court is offering you the opportunity to talk, to compromise, and to sit down and do the hard work to determine your future, before they decide it for you. It is hard work, but it is guided with skill by a licensed mediator who is trained to help the parties see other options, to consider different outcomes and to find workable solutions.

Don’t do yourself the disservice of underestimating the power of mediation. It may be your very best option to get an outcome that you can live with. There are no clear winners and losers. There are compromises. And then you can get on with your life.

Mediation may be required, but don’t look at it as a chore or a hoop to jump through in order to close your case. Rather, look at it as the opportunity that it is.