

Top 10 Questions to ask a Private Mediator



Before your initial consultation it is essential that you prepare a list of questions to ask. The better prepared you are, the more likely it is that you will make a good decision regarding who to work with.

1. What percentage of your mediation practice involves family law cases? Are you specialized in family law? Have you completed specialized mediation training? Are you certified in some way? Are you a member of the Association of Family and Conciliation Courts, the Association for Conflict Resolution, or the Alternative Dispute Resolution section of a Bar Association?
2. Do you abide by the standards of practice set out by the Association of Family and Conciliation Courts in Standards of Practice for family and Divorce Mediation?
3. Will I be working with you directly? If not, who will handle my case? When can I interview that person?
4. What do you charge/hour? Are there different billing rates for the different types of work that you might do for my case (e.g. writing up an agreement)?
5. In total what is your estimate as to what my case will cost? What is your policy on setting up a payment plan? Do I need to pay a retainer? Can you please explain your retainer policy?
6. Is the mediation process confidential? If we reach a mediated agreement – who will write it up and submit it to the court?
7. What happens if we don't reach an agreement?
8. What should I do if I start to feel threatened or intimidated during the mediation process?
9. Do you have malpractice insurance?
10. What will you expect of me? How can I help to bring these problems to an end in a way that is good for the whole family?