

Finding a Maryland Divorce Mediator

by Donna Duquette

Finding a Maryland Divorce Mediator

If you are thinking about working with a divorce mediator, then this is probably one of the more difficult times in your life. To make matters even more challenging, in the midst of this emotional turmoil you are called upon to make some important family decisions. One of these decisions is how to find a divorce mediator who will be right for you and your spouse.



Some positive news is that Maryland was one of the first states to embrace mediation as a dignified and efficient way for couples to work out the terms of their divorce settlement. If you live in Maryland, chances are there is an experienced family mediator near you.

First, what is divorce mediation?

Divorce mediation provides a setting where difficult conversations and thoughtful problem-solving can take place, guided by a knowledgeable and caring professional. Divorce mediators are well-qualified – based on their knowledge of both conflict resolution and divorce topics – to help families through this stressful transition in a way that takes into account the needs of each family member. The goal of mediation is for you and your spouse (who are the experts on your family) to make your own decisions based on clear information and greater understanding of each other and the possible options.

Many people wonder if mediation will be the right process for them. Mediation can work well in both high-conflict and low-conflict cases. It's in the high-conflict disputes that mediation, as an alternative to litigation, can often save the most time, money, and emotional upset. Many high conflict situations are difficult only on the surface: underneath there are the same reasons to work things out amicably as in less difficult cases. There are rare cases that are not suitable for mediation, and a phone call to a mediator can usually help you determine if mediation is appropriate.

You're ready to try mediation. Now, how do you find a mediator in Maryland?

In Maryland, we are fortunate to have the Maryland Council for Dispute Resolution (MCDR), a professional organization of mediators. MCDR offers a voluntary certification program and is one of the few credentialing entities in the country that certifies mediators based upon the mediator's demonstrated performance, rather than merely paper credentials. To be certified by MCDR, a mediator must have significant mediation experience and training, and must submit to a rigorous peer review of his or her performance. (In Maryland, as in many states, there is no state licensing or certification for private mediators.) MCDR's website includes [a listing of MCDR-certified mediators](#), as well as a [general directory of Maryland mediators](#).

Another resource specific to Maryland is the Maryland Program for Mediator Excellence (MPME). MPME was created by the Maryland courts, in collaboration with mediation organizations, to enhance mediator quality assurance. MPME is in the process of creating a searchable directory of

mediators who have met specific training qualifications. See [this link](#). In addition, most Maryland counties also have free or low-cost [community mediation centers](#). While these centers typically do not provide divorce mediation, many can help with specific family conflicts including aspects of parenting plans.

Family-related professionals are another good source for mediator referrals. Many therapists and counselors are familiar with the benefits of mediation and can provide referrals to mediators who have worked with prior clients. Divorce attorneys typically discuss various dispute resolution processes, including mediation, with clients, and often recommend mediation. Divorce attorneys are well aware that very few divorce cases are actually decided by a judge (most are settled out of court) and that mediation is one of the most efficient ways to settle cases.

Online directories provide listings of Maryland mediators. Among these, www.mediate.com is a particularly respected directory that provides information about a mediator's practice, experience, and organizational connections.

You now have a name, but is the mediator right for you?

Let's say you are searching online and you find a mediator listing. The credentials next to their name may or may not mean anything to you. You might see a photo that is friendly and encouraging, or perhaps more serious. But how do you know if this person has the experience and skills to support you through the divorce process? And even if the mediator has appropriate training and credentials, does the mediator have the personal temperament to guide you and your spouse through what can at times be an emotional process?

Mediators have different styles and levels of experience. They may have backgrounds in law, mental health, or other professions. Some mediators focus more on the divorce-related topics, while others focus more on the communication between the spouses. Some mediators are comfortable providing a lot of information, while others encourage clients to seek attorney guidance. Some mediators provide more direction, while others support clients to think for themselves.

Here are some questions you might ask a potential mediator:

- *How long have you been mediating? What percentage of your practice is devoted specifically to divorce mediation?*

Mediation for divorce is a specialty area that requires specific training and experience. While some mediators have practices that are primarily devoted to mediation, many Maryland mediators have a part-time mediation practice combined with another profession, such as law or therapy. Many mediators only mediate a few times a year. Ask the mediator about his or her experience. It matters.

- *As the mediator, what are your goals in your mediation practice? What principals are important to your process? How would you characterize your mediation style?*

If you decide to mediate, you are likely to have several meetings with the mediator during which you will talk about personal and emotional topics and make key decisions for you and

your family. It's important to have a safe setting where you feel comfortable speaking your mind. As you speak by phone with the mediator, do you find the mediator's comments reassuring and in line with your goals for the mediation?

- *How comfortable are you with strong emotions?*

Intense emotions are common in divorce mediation discussions. These emotions are valuable in pointing toward what is most important to you, and can sometimes get in the way of effective communication. How does your mediator view emotions? If intense emotions arise, how will your mediator likely respond?

- *Do you provide legal information to mediation clients, or do you refer them to attorneys? What roles do other professionals, including attorneys, play in your process?*

While mediators do not give legal advice, many see themselves as educators, among their other roles, when appropriate. Depending on their mediation philosophy and experience, different mediators provide different levels of information to clients. While some mediators strongly encourage or even require the participation of other professionals, other mediators encourage a more limited or targeted role for other professionals, as needed.

- *How do you support clients in making thoughtful decisions? What tools might you use to help us?*

Some mediators have specialty software to help with child support, alimony, and other financial calculations. Some mediators provide session summaries, financial forms, organizational tools, and other resources to support couples in making complicated decisions.

Selecting a divorce mediator is an important decision, and here in Maryland, couples have access to a well-developed field of mediation professionals. Take the time to ask questions so you choose a mediator who can best meet your family's needs.

Donna Duquette biography and additional articles:

<http://www.mediate.com/people/personprofile.cfm?auid=1679>

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