

The Program

Custody and Visitation Mediation is a service of Common Ground Dispute Resolution, Inc., a not-for-profit corporation under contract by the New York State Unified Court System, to provide mediation services to Greene and Columbia counties.

Common Ground provides mediators who work to resolve the differences between two or more participants on a variety of issues, including: family, housing, business, workplace, school and neighbor disputes.

Agreements reached are mutually satisfactory, may be legally binding and court enforceable.

The mediation process is informal, private, confidential, and voluntary.

You don't need "a referral" to for mediation— simply give us a call.

Tel: (518) 943-0523

Fax: (518) 943-4915

info@commongroundinc.org

www.commongroundinc.org

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A Place to Settle Differences

11 William Street
Catskill, NY 12414



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Custody & Visitation Mediation

A Child Centered Model

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What is Mediation?

Mediation is a private, voluntary, and confidential meeting between you the person with whom you are having a dispute. The hope is that the two of you can reach an agreement that you both can live with.

Please note: Family Court is always an option for you, regardless of the outcome of the mediation.

What is Child-Centered Custody/Visitation Mediation?

The child-centered mediation model helps you focus on the *child's needs* in developing a custody or visitation agreement. It gives you the chance to talk about the issues surrounding your child with his or her other parent.

What Issues Can be Mediated*?

- Legal, residential/physical custody.
- Parenting time/visitation.
- Grandparent visitation.
- Birthdays, holidays, and vacations.
- Religious upbringing.
- Medical decisions.
- Communication tips.
- Future plans.
- Education.
- Role of new spouse/significant other.

* Mediation is not appropriate if there are allegations of child abuse/neglect or in situations where domestic violence exists.

What is Custody? Sole or Joint?

Custody has two major components:

- * **Legal custody** concerns who makes decisions regarding the child. This person is the child's "legal custodian." With "joint custody," both parents make the decisions together; with "sole legal custody," only one parent may make these decisions.
- * **Physical custody** concerns where the child lives.

What is Visitation?

Visitation is parenting time specifically set aside for the non-custodial parent, grandparent or other family member to spend with the child.

Creating a Plan for Parenting Apart

Focusing on custody and visitation issues can be less stressful if you concentrate on your child. When parents take an active part in the decision-making process, they are more likely to achieve practical and fair solutions.

Understanding the issues involved in a parenting plan is consequential to solving them.

Why Should I Mediate?

Mediation is a self-driven alternative to court proceedings. It puts decisions about your child's future and best interests in your hands, rather than having the court make the decisions for you. Mediation sessions are scheduled at your convenience, allowing you the time you need to make important decisions affecting your child.

Who are the Mediators?

Mediators are:

- Experienced individuals specifically trained in the areas of family conflict, custody, and visitation.
- Neutral parties who will not take sides in your disagreement.
- Able to help you:
 - Identify relevant issues.
 - Identify areas of agreement.
 - Identify areas of disagreement.
 - Explore possible solutions.
 - Develop a workable future plan.

Mediators are NOT: counselors, therapists or lawyers. They will not give legal advice, or provide counseling services.

How do I Start?

By requesting mediation through your or your child's attorney, the judge, or contacting us directly:

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What Happens After Mediation?

If you arrive at an agreement, Common Ground will send a copy of your agreement to the court, the attorney for your child and your own attorney. If you mediate but do not reach an agreement, Common Ground will send a letter to the court, stating that a mediation was held, but no agreement was reached.

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