

Fairfax County

**Juvenile and Domestic Relations District Court
Mediation Program**



**Family Mediation
Referral Packet**

Fairfax County JDRDC Mediation Program
4110 Chain Bridge Road, Suite 104
Fairfax, Virginia 22030-4019

Main: (703) 246-3047
Deaf or Hearing Impaired, Dial 711
www.fairfaxcounty.gov/courts/jdr



JDRDC MEDIATION PROGRAM

INFORMATION REGARDING MEDIATION

What is Mediation?

Juvenile and Domestic Relations Services Mediation

Unit 4110 Chain Bridge Rd, Room 104

Fairfax, VA 22030

703-246-3047

Fax: 703-273-1203 TTY: 703-273-3713

- ⚙ Mediation is negotiation facilitated by a neutral third party.
- ⚙ It is a chance to speak about what is important to you and listen to what is important to the other person.
- ⚙ It is a way for you to take control of your own dispute.
- ⚙ It is a voluntary process.
- ⚙ It is a confidential process.
- ⚙ It is a process that can result in a binding agreement.

- ⚙ **Generally High Success Rate** in achieving a mutually agreeable settlement between the parties and avoiding the burdens of a trial.
- ⚙ **Better Results** because the parties themselves choose and agree on the resolution. You understand your dispute better than anyone and can address details that a court might not.
- ⚙ **Negotiation is Facilitated** by a neutral mediator who has training and experience in helping people to resolve their disputes by mutual agreement. Mediators for all court ordered referrals are certified by the Supreme Court of Virginia.
- ⚙ **The Parties Control the Outcome** and often have a "win-win" result as opposed to having the issues in dispute resolved by a judge.
- ⚙ **Preserves Relationships** by improving communication.
- ⚙ **Produces Lasting Agreements** as the parties are so invested in creating them.
- ⚙ **May be Faster** than waiting months or longer for trial preparation or court dates.
- ⚙ **No Fees** or charges.
- ⚙ **Saves Time** and is beneficial even if you are unable to reach an agreement or only reach a partial agreement, by highlighting the issues and still maintaining your scheduled court date.

What are the Benefits of Mediation?

How can I Prepare for Mediation?

Successful mediation depends on the parties' willingness to negotiate in good faith and work out a solution. Before beginning the mediation, know what your interests are and think about possible mutually satisfactory solutions. It is helpful to get legal advice and other professional advice before and during the mediation. Please make child care arrangements ahead of time; children are not permitted in mediations.



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How Does the Mediation Process Work??

Screening

The first part of all mediations is a screening process during which the mediator obtains pertinent information. An assessment will be made as to the appropriateness of the mediation referral.

Introduction

The mediator will describe the process and his/her role. He/she will discuss the Agreement to Mediate Form which states specifically that the mediator will not give legal advice and that the process is confidential.

Information Gathering

Mediators will ask the parties to describe their views of the dispute and what they want from the mediation. The parties are given a chance to share their feelings and express their views in a safe environment.

Issue Identification

Mediators assist the parties in identifying the main issues and understanding each other's interests and needs with respect to the issues.

Generating Solutions

Mediators will then encourage the parties to become problem solvers, look objectively at the issues, identify and discuss possible solutions. Mediators may use a technique called "caucus" in which they meet with parties separately and in confidence. This can lead to information and more options.

Agreement

If the parties reach an agreement, the mediator will document the agreement in writing and submit it to the court for review. The judge prepares an accompanying order that incorporates all of the terms of the agreement and makes it a binding Judicial Order of the Court. Parties who do not reach an agreement will proceed to court for a judge to decide the case.

Fairfax County is committed to a policy of nondiscrimination in all county programs, services and activities and will provide reasonable accommodations upon request. For information, call 703-246-3047, TTY 703-273-3713.

FAQs

1. What do I need to bring to the mediation?

Please see the page about important documents you **MUST** bring to the mediation.

2. Can I bring someone with me (i.e. a family member or friend)?

Mediation is conducted between the two parties, mom and dad. However, if you absolutely feel it's necessary to bring another party, you can, but they may not be allowed in the mediation. It is up to the other party and the mediator whether or not the party can be in the room.

3. Can I have my attorney review the agreement(s) before they are submitted to the Court?

Yes. You have the right to and are encouraged to seek legal advice during the mediation process. Your attorney can review the agreement and you can come back in to sign it or sign it before a notary public and return it to us before the court date.

4. Can I bring my child(ren)?

No. Children are not allowed in the mediation. If you must bring them, please bring an adult to supervise them in the lobby during the mediation.

5. There are DV charges pending or there was DV in the past, why was this referred to mediation?

Unless there is an ACTIVE PPO/PO or No Contact Order, all cases are referred to mediation. You are court ordered to attend the mediation orientation session. If you do not wish to mediate, you can inform the mediator after the orientation session. The Judge *may* refer you back to mediation at the status hearing. We can also make special accommodations if you have some concerns about mediating in the same room as the other party. Please call the mediation program if you would like more information about this.

6. What is a Guardian Ad Litem (GAL) and why are they involved?

A Guardian Ad Litem is an attorney appointed by the Court in cases involving a third party (someone other than mom or dad) petitioning for custody of a child; if one party is incarcerated or when the Judge feels otherwise appropriate. In third party cases, they represent the child and the best interests of the child. They do not represent any other parties in the case. Their job is to investigate and determine what the best placement is for the child. They may do a home investigation, in which they visit your home and ask questions and take pictures. They will also provide a report to the Court based on their investigation.

If one party is incarcerated, they represent the incarcerated parties' interests in the case. They will visit the party in jail and interview them and investigate. GALs are NOT bound by confidentiality requirements in a mediation. In other words, they can state in Court or to the Judge what was said or done in mediation.

7. The other party and I have reconciled or "I want to withdraw my petitions", do we still need to come to mediation?

Yes. You have been court ordered to attend mediation and your case is still on the court docket. If you no longer want to proceed with the court process, the mediator can draft up an "Agreement to Non-Suit", in other words, an agreement to "withdraw" your petitions. If done before the first hearing, this would remove the case from the docket and you would not need to appear at the status hearing.

Fairfax County Juvenile and Domestic Relations Court Mediation Services

The Juvenile and Domestic Relations Court Mediation Program offer mediation services at **no cost** to the clients. Most mediations are conducted Monday-Friday 8:00 a.m. - 4:30 p.m. with limited availability in the evening.

Contact information for JDRDC Mediation Program:

Phone: (703) 246-3047

JDRDCMediation@fairfaxcounty.gov

Private Mediation Services Information

You also have the option of using private mediation services for which there is an hourly fee assessed by the provider. The website below maintains a complete list of mediation services in Northern Virginia through the Virginia Mediator Directory. If you elect private services, you will be responsible for making all necessary arrangements, including payment.

Virginia Mediator Directory

Virginia Judicial System:

<http://www.courts.state.va.us/>

Go to the above website; scroll down to **Programs; Mediation, Directories;** from the drop box select **Court Certified Mediators (by circuit)**. You will need a **J&DR Certified Mediator**. Fairfax is **District 19**. This searchable directory contains currently certified mediators who have submitted an updated Mediator Profile Form for inclusion in the Directory.

IMPORTANT!

PLEASE DO NOT BRING CHILDREN TO MEDIATION APPOINTMENTS

YOU MUST BRING THE FOLLOWING TO THE MEDIATION:

- Child's birth certificate
- Child's social security number
- Your I.D. (Driver's license, Passport)

IF MEDIATING CHILD SUPPORT, YOU MUST ALSO BRING DOCUMENTATION OF THE FOLLOWING:

- Proof of income: Pay stubs/leave and earnings statements for the last 3 months in which you worked.
- Forms W2 and 1099 tax form and Federal tax return.
- Professional and/or trade license # (nursing, real estate license, etc.).
- Address and telephone number of each of your employers.
- Work-related child care costs, including the costs for both the school year and the summer/holiday breaks.
- Documentation from HR of out-of-pocket cost to you to provide health insurance for the child(ren) in this case. If you have a group or family plan, the difference in cost between that plan with and without the child(ren).
- Support obligation(s) by court order or written agreement for your other biological or adopted children NOT living with you and your payments of that support.
- Spousal support that you owe or are owed and your payments sent or received of that support.
- A detail of any qualified business expenses, like self-employment tax.

Parenting Education Class Providers

Fairfax County Juvenile & Domestic Relations District Court

<p align="center">Fairfax County Public Schools (FCPS) Co-Parenting: Two Parents, Two Homes</p>	<p align="center">Northern Virginia Mediation Service (NVMS) Parenting Class: Two Parents, Two Homes</p>
<p>Ann Warshauer (703) 204-4344 (703) 204-4351- Español Cost: \$40/individual, \$60/couple English- 1st and 2nd Saturday of each month Spanish- 3rd Saturday of each month Email: alwarshauer@fcps.edu Website: https://www.fcps.edu/index.php/resources/family-engagement/parenting-classes</p>	<p>Megan Borishansky (703) 865-7263 Open only to those with a pending DCSE support case. Free of charge with a DCSE case number. One Saturday a month Classes in Spanish available. Email: mborishansky@nvms.edu Website: https://nvms.us/programs/child-support-mediation/</p>
<p align="center">The Family Center Parenting Together Living Apart</p>	<p align="center">Calvary Counseling Center H.O.P.E.- Healthy & Objective Parent Education</p>
<p>Dr. Glory Fox Dierker (703) 998-5606- For parenting education, please press 4; or Glory Fox Dierker, Ph.D. at ext 301; or Maggie Fox Dierker, JD at ext. 302 Fax: (703) 998-5608 Cost: \$50/ individual Typically one Saturday a month, 10 am – 2 pm Email: info@thefamilycenter.com Website: https://www.thefamilycenter.com/parent-education-va-supreme-court</p>	<p>Caroline Ebuchulam (703) 530-9800 Fax: (703) 530-9805 Cost: \$50/ individual Offered Saturdays 8 am- 12 pm and Thursdays 4:30- 8:30 pm. Please register online and read website for details. Email: info@calvarycounseling.com Website: https://www.calvarycounseling.com/services/parent-education-class.html</p>
<p align="center">Shirley Lefler Bazdar, M.Ed Co-Parenting Connections</p>	<p align="center">Korean Community Service Center of Greater Washington Co-Parenting: Two Homes Where Love Lives</p>
<p>Shirley Lefler Bazdar, M.Ed. (703) 508-9102 Cost: \$50/ individual Offered Saturdays from 8 am- 12 pm Register through Event Brite link on website Email: slbazdar@gmail.com Website: https://sites.google.com/site/frontroyalparentingclasses/</p>	<p>Haley Huang (703) 354-6345 ext. 131 Fax: (703) 354-6391 Cost: \$50/ individual Offered once a month. Please call to register. Classes may be offered in Korean, English, and Chinese languages. Email: hhuang@kcscgw.org Website: http://www.kcscgw.org/</p>
<p>Contact the individual provider to ensure accuracy of cost and schedule of classes. Please pre-register online or by phone or e-mail. Many programs outside of Fairfax County are currently offering remote seminars that can be attended by anyone on-line regardless of their physical location. To find other providers, please use the following link:</p> <p align="center">http://www.courts.state.va.us/courtadmin/aoc/djs/programs/parented/jdr_providers.html*</p> <p align="center">You are required to provide proof of Completion to Mediation or Court.</p> <p align="center">*This list represents a court approved collection of known parent education providers and does not represent a certification as to the quality of the provider.</p>	