

Mediation at Family Court Services
Multnomah County Courthouse
1200 SW First Ave., Ste. 3400, Portland, OR 97204 / (503) 988-3189

What happens in mediation?

In mediation, an impartial, professional mediator will help you and the other parent:

- talk about how decisions and time with your children will be shared,
- design a schedule for parenting time with your children, and
- create a written agreement that can become part of court orders in your case.

How can mediation help me and my children?

- mediation **keeps parents in charge** of decisions about their children.
- mediation **helps children by reducing conflict** between you and the other parent.
- mediation helps parents avoid stressful, public, and sometimes expensive trials.

Is mediation confidential?

Mediation is private. The mediator will not testify in your case or talk with others about what happens in mediation. There are some limits to confidentiality where the safety of children or adults is concerned. Recording of mediation sessions is not allowed.

Common Questions about Mediation Appointments

How is mediation being conducted during the pandemic? Initial mediation appointments are by phone. Follow up appointments can be by phone, virtually or in person as long as both parents agree about how to proceed.

What happens at the first appointment? The mediator will call at the scheduled appointment time, and the appointment may take up to 2 hours. They will do a brief orientation about the process, and speak with each participant individually. If everyone agrees to continue, the conference call will proceed with the discussion/negotiation about custody and parenting time.

Who should attend my appointment? Mediation is for parents only. Other people are not allowed to attend unless both parents and the mediator agree.

What if the other parent does not show up for mediation? If you have an open court case, mediation is usually required and a mediator will notify the court who attended. You will be able to talk with the mediator about what to do if the other parent does not show up.

What happens if we come to an agreement in mediation?

The mediator can track your agreements and develop a written mediated agreement for you. To be enforceable, you will need to file your agreement with the court.

What if we are not able to agree in mediation?

You are never required to reach an agreement in mediation. If you and the other parent do not agree, there are other options available to you, such as court or seeking the advice of an attorney.

What if the other parent has hurt me or I am afraid of the other parent?

In mediation, it is important that you feel safe so that you can talk openly with the other parent about plans for your children. If you have been hurt or threatened by the other parent, it may be hard for you to feel safe enough to negotiate or disagree with them. In some cases, mediation may not be a safe choice. If you have safety concerns, please contact our office.

Questions? Call us at 503-988-3189 or visit our website
HYPERLINK "<http://web.multco.us/dcj/fcs>" <http://web.multco.us/dcj/fcs>

Your Safety in Mediation at Family Court Services

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How do I decide if it is safe for me to participate in mediation?

You are the best judge of your own situation. Take a minute to think about these questions.

- ☐ Has the other parent ever physically hurt you?
- ☐ Has the other parent ever threatened to seriously harm you or someone you love?
- ☐ Has the other parent frequently insulted, cursed, or screamed at you?

If you answered yes to these questions or have other concerns about your safety, you may want to talk with a mediator at **Family Court Services** before deciding to take part in mediation.

***You can talk with a mediator at Family Court Services about your safety by calling us at
503-988-3189***

Will the other parent know if I talk to a mediator about my safety concerns?

The details of your conversation with your mediator are not shared with the other parent. However, your mediator may have to let the other parent know about the plan for mediating safely. Your mediator is required by law to report information about child or elder abuse.

Do I have to mediate if I do not feel safe?

If parents have a divorce, custody, or parenting time case open with the court, mediation is required. However, if you have concerns about your safety you can request a waiver of mediation **or** talk with your mediator about ways to mediate more safely. If you decide to participate, you can end mediation at any time.

What if I want to mediate, but I am worried about my safety?

Some parents that have experienced domestic violence still choose to participate in mediation. If you choose to mediate, but are worried about your safety, you can talk with a mediator about safer ways to participate.

What if there is a FAPA (Family Abuse Prevention Act) Restraining Order in our case?

If you have a FAPA Restraining Order and the period when the *respondent* can object to it has passed, you can mediate at Family Court Services as a part of your custody case. If there is a no-contact order in a criminal or other case, you must have the permission of your Probation Officer or a Judge in order to mediate.

Where can I get more help for my safety concerns?

You can talk to a domestic violence advocate at any one of the numbers listed below. You can also talk with a Family Court Services mediator about places in your community where you can find help.

Domestic Violence Resources

Hotlines:

Call to Safety (formerly Portland Women's Crisis Line) ... **503-235-5333 or toll-free 1-888-235-5333**
Línea UNICA (Español) **503-232-4448 or toll-free 1-888-232-4448**
National Domestic Violence Hotline **1-800-799-SAFE /7233 TTY 1-800-787-3224**

Services:

The Gateway Center for Domestic Violence Services **503-988-6400**
Volunteers of America Home Free..... **503-771-5503**

Legal Services:

Restraining Orders / Stalking Orders **971-274-0600**
Legal Aid Services of Oregon **503-224-4086**