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What Questions Should You Ask Before Hiring A Divorce Mediator?

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Divorce Mediator Justin L. Kelsey of Skylark Law & Mediation guest blogs about questions to ask before hiring a divorce mediator.

There are numerous articles telling you what you should ask a divorce attorney before you hire them and we recently posted our advice on [preparing for the attorney-client interview](#). As mediators we encourage clients to work with attorneys to make sure that they are fully informed throughout the divorce process, but we also recommend, in most cases, that clients try divorce mediation before having their attorneys negotiate or litigate on their behalf. I recommend a mediation-first approach because of [the many benefits of negotiating on your own behalf with the help of a skilled mediator](#). Hiring a mediator, though, can be just as confusing and stressful as hiring a lawyer. We're hoping this article helps make that process easier.

Find the Right Mediator for You by Asking Questions

Similar to hiring a lawyer you want to make sure that you ask questions about the mediator's practice, cost, and experience, to ensure that your mediator fits your financial circumstances. Typically more experience means a higher rate and not every case requires the most experienced divorce mediator. It is also very important that any mediator that you work with is a good personal fit. A good mediator helps you express your goals and positions in a way that the other side can actually hear. This leads to better understanding and ultimately settlement, but it all starts with the mediator being able to effectively understand your goals. If your mediator is not an effective listener and doesn't understand what is important to you then your mediation will likely fail. First, you need to

make sure you understand your own goals and can articulate them. Ask yourself the following questions before you meet with a mediator:

- *What is the most important issue for you?*
- *What do you need?*
- *What do you hope to accomplish in your case?*
- *What do you want your life to look like after your case is over?*
- *What do you want for yourself out of life?*
- *What do you want for the other people involved in your case?*
- *If your case involves children, what do your children need and what do you want for your children?*
- *Why are you choosing to meet with a mediator (instead of or in addition to a counselor, coach, attorney or other divorce professional)?*

Asking the Right Questions: Know Your Mediator's Background

Now that you understand your own goals and needs better, here are the questions that can help you discover if a mediator is right for you:

- *What training have you taken in the field of mediation?*
- *If you also practice a different profession (attorney, counselor, etc.), how is your role different as a mediator than in that profession?*
- *What advantages and disadvantages are there to hiring an attorney-mediator vs. a mediator with a financial or mental health background?*
- *What are the other options besides mediation for us to resolve our case?*
- *What do you think is the most important aspect of mediation?*
- *How do you help us meet our goals in mediation?*
- *If we disagree with each other during the case about the best way to attain or prioritize our goals, how will you handle that disagreement?*

Identifying What You Need from Your Mediator

These questions are not about testing the mediator's ability to think on their feet or their experience with your type of case. Instead, these questions are designed to illicit answers that will help you know whether the mediator is a good fit for you. After meeting with the mediator you should ask yourself the following questions to decide if you should hire them:

- Do you need a mediator who can provide legal information or one who is more skilled at finances or communication dynamics?
- Does the potential mediator share your approach to problem solving and your style or will their style conflict with yours?
- Does the mediator's view of what is important in mediation match with your reasons for choosing mediation as an option?

Going through any type of family dispute can be extremely stressful, and you want to find professionals that reduce that stress by understanding you and your goals. **This blog is re-posted from Skylark Law & Mediation's Scaling the Summit Blog. About the Author:** Justin L. Kelsey is a Massachusetts divorce mediator and collaborative law attorney at [Skylark Law & Mediation](#). He is a member of the Board of Directors of Massachusetts Collaborative Law Council and the Board of Directors of the Massachusetts Council of Family Mediators. **Disclaimer:** The information you obtain at this site is not, nor is it intended to be, legal advice. You should meet with an attorney for advice regarding your individual situation. You are invited to contact our office. Contacting the office does not create an attorney-client or mediator-client relationship. Please do not send any confidential information to the office until such time as an attorney-client or mediator-client relationship has been established. This blog is considered an advertisement for the Law Office of Lynch & Owens, P.C. d/b/a South Shore Divorce Mediation. The Massachusetts Rules of Professional Conduct broadly govern all advertisements and communications made by attorneys and law firms in the Commonwealth. Generally, legal websites and any other content published on the internet by lawyers are considered a type of communication and an advertisement, according to the Comments to Rule 7.2.

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