

What is child custody mediation?

SAMPLE

Not Legal Advice

What is child custody mediation?

Custody is the legal term for a *parenting plan*.

It means:

- Who the child lives with, and
- Who makes important decisions for the child (health care, education, and other important decisions)

When parents cannot agree on the *custody* of their children, the judge will send them to child custody mediation. The mediator will help you make (or recommend) a parenting plan.

What is a mediator?

A mediator is a court professional who helps parents make parenting plans that are good for the children.

Mediators know how to work with separated couples, and are trained to understand domestic violence. Mediators can also tell you where to get help with housing, counseling, or financial problems.

Important! If the mediator suspects child abuse, s/he must report it.

What will the mediator do?

The mediator will try to help you make a parenting plan that:

- Protects you and your children
- Says how you and the other parent will make decisions about the children
- Says when the child will be with each parent

Mediators can also help with a safety plan for you and your children, including safe ways to get the children to and from visits with the other parent.

What special words will the mediator use?

The mediator may talk to you about:

- legal custody
- physical custody
- visitation
- evaluators
- supervised visitation

If you do not understand these words, ask your mediator to explain.

Is what I say to the mediator private?

Not always. The mediator can tell the other parent what you say. Sometimes a mediator will tell the judge what you say. The mediator may report child abuse. Ask your mediator to explain the privacy rules.

Can I bring someone to mediation with me?

If you have a restraining order, you can bring a support person to mediation. If you do not have a restraining order, you can ask your mediator if a support person can come with you.

What if I am worried about safety or domestic violence?

If you are worried about your or your children's safety, tell the mediator as soon as possible. You can ask to speak with the mediator alone.

Also:

- Tell your lawyer or get help from a local agency.
- Tell the judge about the violence or abuse.
- Ask your mediator about supervised visitation.

What is supervised visitation?

Supervised visitation means the child can visit the other parent if another adult is present. Ask your mediator if there is a supervised visitation center where you live. If there is no center in your area, talk with your mediator about other options.

What if I don't speak English?

Ask for an interpreter. If a court interpreter is not available, bring someone to interpret for you. Do not use a child to interpret for you.

For more information about mediation or domestic violence...

- Go to: www.courtinfo.ca.gov/selfhelp
- Call the National Domestic Violence Hotline (24 hours): **1-800-799-7233** or **1-800-787-3224** (TDD)

It's free and private.

They can help you in more than 100 languages.