

Mediation vs

Litigation



	 Mediation	 Litigation
Time	Depending on the issues involved, few sessions may be needed.	Depending on the court litigation may take many months, into years.
Cost	Understood, upfront and definite	Unknown, upfront and likely to be many £thousands
Constraints	Flexibility of solutions. You make the decisions	Constraints of solutions. Decisions made by a judge.
Decision making and control	Ownership of the decisions, and input into those decisions, rest solely with you both. With the help of a mediator, you will problem solve property and children issues to design an agreement that works for you and your family. One that you both can live with.	No ownership. A judge makes the final decision, which is a risk as it can often be a decision that either one side is happy with and the other not, or one that neither like at all.
	Mediation	Litigation

Children	The two of you, who know your children best, will determine what's in the best interests of your children. Do you love your children? Of course you do! And you know them the best!	Children are in the middle, with arrangements ultimately being decided by someone who doesn't know them, or love them!
Experience of the process	Business like, but informal	Formal, adversarial
Impact on parenting relationships	As mediation is so forward focused, focus is on what the plans are for the future and the future parenting relationship. Parties speak to each other in the tone of making arrangements, not battling. You will maintain your dignity. You will work together to make the best of a bad situation. If you can't save the marriage, save the divorce. You will be connected by parenting for the rest of your lives, far beyond the divorce.	Huge impact on the parenting relationship. Each party 'spoken for' in court. The antagonistic, confrontational, debilitating and emotionally draining experience of a day in court (and the process leading up to it) can take many years to fade with the parenting relationship forever damaged/altered
Flexibility	 Great flexibility. You can try out various parenting plans to see if they work. You can modify the plans as your children get older without returning to Court.	 Little Flexibility. The Court order will stand and you will need to return to court to change it. Thereby increasing the cost and stress.
Emotional cost	 Allows for healthy airing of diverse views and emotions. More comfortable, cooperative. Can help with closure.	 Increases anxiety and stress. Little or no opportunity to address concerns. Stressful, adversarial
Impact on future communication	 Promotes improved communication. Sets stage for joint decision making going forward. Encourages personal responsibility	 Discourages communication. Sets stage for future disagreements and probable court appearances

For More Information contact Southern Family Mediation on [02382 021300](tel:02382021300)