



CAADRS

**AN EVALUATION OF THE
SECOND JUDICIAL CIRCUIT OF ILLINOIS
PILOT JUDICIAL MEDIATION PROGRAM
FOR CUSTODY AND VISITATION DISPUTES
IN CRAWFORD, EDWARDS, LAWRENCE, RICHLAND, WAYNE, AND WHITE
COUNTIES**

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Introduction

In order to provide divorcing parents with another route to resolving child-related issues, the judges of the Second Judicial Circuit established a pilot judicial mediation program in 2004. At that time, the Center for Analysis of Alternative Dispute Resolution Systems (CAADRS) assisted the court in creating a system for monitoring the progress of the program and evaluating its effectiveness. This system includes forms for reporting by the mediator, as well as post-mediation evaluation questionnaires for parties and mediators. These forms are found in Appendix A. The governing rule (LR 21.0) calls for annual reports to be provided to the court by the Center for Analysis of Alternative Dispute Resolution Systems regarding the progress of the program. This is the first of those reports.

This interim evaluation looks at the progress of the program through its first 15 months (December 1, 2004 – March 2, 2006). Examined in this study are the number of cases referred to mediation, the percentage of mediated cases ending in agreement, the issues being mediated, the experience of the parties with their mediations, and the mediator's own views of the efficacy of the program.

Overall, the data shows that the program started slowly, with a few referrals in the first six months. In later months, however, the program has begun to be more widely used, with referrals from all pilot counties. The results of these referrals have been within the normal range of custody and visitation mediation programs, with 53% of cases resulting in settlement. Further, the majority of parents who have participated in the mediation have been satisfied with the process and have indicated they would use mediation again. The parents have been almost unanimous in their satisfaction with the mediator.

BACKGROUND

The Program

The Second Judicial Circuit lies in a sparsely populated and geographically dispersed section of southeastern Illinois, making a traditional roster-based, for-fee program impracticable. The program therefore utilizes a sitting judge as a mediator, who conducts the mediations free of charge to the parties in the counties in which the parents reside. The pilot program is available in Crawford, Edwards, Lawrence, Richland, Wayne, and White Counties.

The issues eligible for judicial mediation are child custody, child visitation, and removal of children from the state of Illinois. At the discretion of the mediating judge, and with the consent of the parents, the issue of child support can be mediated as well. Cases that have completed discovery (or in pro se cases after the financial affidavits have been filed) may be referred to mediation either upon the request of a party or by motion of the court. Lawyers are not present at the mediation. If an agreement is reached, the mediating judge enters and files the agreed terms as a provisional order within 21 days of the mediation. The trial judge then may reject or co-enter the provisional order, at which time it becomes immediately effective.

While the current program includes only six of the circuit's ten counties and uses one judge-mediator, the court has recently decided to expand the program to all counties and to train more judges to serve as mediators.

The Mediator

The mediating judge attended a 40-hour domestic relations mediation training. He has reported using a combination of facilitative and evaluative techniques. He almost always focuses on future communication and talks with the parents more separately than jointly. He helps the parents to generate their own options, but at some point he also suggests a possible settlement. More often than not, he helps the parents to steer clear of emotional discussions. He conducts all mediations in person.

METHOD

The data used in this evaluation was gathered from two sources: reports that the mediator faxed to CAADRS after the conclusion of mediation or after the mediator determined that mediation could not take place, and post-mediation questionnaires given to the parents at the end of the mediation along with an addressed and stamped envelope. These were mailed by the parents directly to CAADRS.

Mediator reports include information on whether the mediation took place and if it did not, the reason it did not; the outcome of the mediation; the issues mediated and whether they were settled; the amount of time spent preparing for the mediation and in the mediation session; and whether the mediation was conducted in person, by phone, or via email. The reports also include the mediator's perceptions of the timing, appropriateness, and impact of the mediation, as noted below. Parent post-mediation questionnaires are discussed in the "Findings" section.

FINDINGS

Referral and Settlement

Between December 1, 2004 and March 2, 2006, 22 cases were referred to mediation. Of these, nineteen were mediated. The other three were disqualified by the mediator. The referrals to mediation came from all six participating counties. Wayne County has been the most active, with seven referrals, followed closely by White County with six referrals. Richland County follows with four referrals, with Crawford County adding three. Edwards and Lawrence Counties each account for one referral. Nine judges have referred cases to mediation. One judge has accounted for almost half the referrals, with ten. Another judge referred three cases, while the others referred one or two.

Referrals by County	
Crawford	3
Edwards	1
Lawrence	1
Richland	4
Wayne	7
White	6

Ten of the nineteen cases that were mediated were either fully (8) or partially (2) settled. Nine were not settled at mediation. This is a 53% settlement rate. This falls in the middle of the range of other custody and visitation mediation programs, which have reported rates of settlement of 35% to 75%.

Total Mediations	19
Fully Settled	8
Partially Settled	2
Not Settled	9

Issues Mediated

In the nineteen cases mediated, visitation was at issue in all of them and custody in seventeen cases. The net income from which to calculate child support was at issue in four cases, and removal in three cases. At issue in two cases was the question of who would take the income tax exemption for dependents.

As visitation was involved in all nineteen cases mediated, the resolution rate for this issue was the same as for the cases over all (eight fully settled, two partially, nine not at all). Custody issues were resolved in eight of seventeen cases. Three of four times, support was resolved at mediation, while removal was resolved once. The tax exemption for dependents was resolved both times it was at issue. While the number of cases is too small to draw reliable conclusions, these results indicate that expanding the issues mediated to include certain financial disputes may not decrease the possibility of settlement.

Issues Mediated		
Issue	No. of Cases	% Settled
Visitation	19	53%
Custody	17	47%
Support	4	75%
Removal	3	33%
Tax Exemption	2	100%

The mediator noted in discussion with CAADRS that removal has been difficult to settle because there is little common ground between the parties on this issue. In conversations with program directors in other states, CAADRS found this belief to be universal. Nevertheless, this issue was resolved in one case, and has been resolved in other programs around the country. Thus, while difficult to settle, they are not impossible. Although there is no hard and fast rule as to what removal cases are amenable to mediation, care should be taken in deciding whether to send them to mediation. Mediators can help in this by noting what factors have proven to be influential in determining when such cases are settled, and communicating that information to referring judges both through the evaluation process and during meetings about the program.

Why Cases Did Not Settle

The reason most often cited by the mediator for the lack of resolution in mediation was that the parents were entrenched in their positions (cited seven times). Other reasons were that one or both parents did not participate fully (2), the parents were too emotional (2), the parents had very different views of childrearing (1), the case involved long distance removal without much room for compromise (1), and that one parent was allowing the children to dictate his/her position (1).

Appropriateness and Timing

To get a sense of whether the cases being referred to mediation were amenable to mediation, the mediator was asked two questions: 1) whether he agreed the cases he was mediating were appropriate for mediation; and 2) whether the case was referred at the correct point in the case. The mediator agreed in nine of the nineteen cases that the case was appropriate for mediation. In another nine he neither agreed nor disagreed. In one he believed the case was not appropriate (because it was a long-distance removal case). In all but two cases, the mediator believed the case was referred to mediation at the correct point in the case. In the other two, he believed it was referred too soon.

All but one case in which the mediator did not respond positively to the above questions (either was neutral or disagreed) did not settle. In those cases, he noted as well that the parents were not emotionally ready to mediate their divorce. This contrasted with the cases that settled, in which he believed that the parents were ready.

Time in Mediation

One way of determining the amount of resources used to mediate a case is to look at the amount of time spent preparing for mediation and in mediation sessions. The mediator reported spending

one hour to prepare for all mediations. The parents most often reported spending no time preparing for mediation; however, of the eleven who responded to this question, three said they spent an hour in preparation, one reported spending two hours and another reported three hours of preparation time.

According to the mediator, all mediations consisted of one session lasting between two and nine hours, with an average length of 3.5 hours. The parents reported mediation lengths of between one and nine hours, with an average length of 4.1 hours. When both parents responded, they tended to give similar estimates. This length of time is on par with the mediation times reported by other programs.

Parent Perception of the Mediation Experience

The parents were asked a number of questions regarding their experience with mediation. These questions were asked to determine how well the process was working on a basic level and how well they felt they were being served by the process.

Although too few parents responded to draw any statistically reliable conclusions, a few trends can be seen. Overall, parents had a positive reaction to mediation, with particular praise for the mediator. Few parents felt the mediation negatively impacted themselves or their children, even when the case did not settle. The number of responses is too small to gather any statistically viable data regarding differences in perceptions between mothers and fathers; however, mothers were more likely to give neutral responses than fathers, who were more positive about their experience. Mothers were also more likely to feel pressured to reach agreement.

Respondent Demographics

Sixteen parents in eleven cases returned satisfaction reports. This is a response rate of 42%, with 58% of cases represented. In five of the eleven cases, both parents responded. In the other six cases, response was received from only one (three mothers, two fathers, and one unknown). Overall, respondents included eight mothers, seven fathers, and one unknown. The parents were slightly more likely to respond if the case did not settle: of those who responded, five had their cases settled in full, three had their case settled in part, and eight did not resolve their dispute. Party responses regarding settlement were the same as those provided by the mediator, which means that their perception of what occurred matched that of the mediator. Of the eight who did not settle their dispute, two said that progress had been made toward settlement.

Self-Determination

Self-determination is a central tenet of mediation. To have self-determination, parents must be able to participate in mediation with full understanding and with sufficient information. They must also feel free to make decisions in the mediation without feeling their decisions are the result of external pressures.

Full Participation

To find out if the parents had the information necessary to participate fully in the process, they were asked whether they felt prepared for the mediation and whether they understood the process as they were participating in it. Most of the parents felt prepared for the mediation and felt they understood the process. Eleven (68.8%) said they were prepared for the mediation, while three were neutral and two said they were not prepared. Thirteen parents (81.3%) said they understood

the process, while one was neutral and two felt they did not understand the process. One parent who did not understand the process also felt unprepared for the mediation. This means that only three (18.75%) of the sixteen either felt unprepared or did not understand the process.

Parent Self-Determination			
	Agreed	Neutral	Disagreed
Felt Prepared	11	3	2
Understood Process	13	1	2

Pressure to Reach Agreement

A primary benefit of mediation is considered to be that the parents enter into an agreement voluntarily and without coercion. To determine if this is happening, the parents were asked if they felt any pressure to settle, whether by the mediator, the other parent, time or money constraints, or anything else. In three of seven settlements, one of the parents felt pressured to settle.

Mothers were more likely than fathers to say they were pressured. Only one of seven fathers said he was pressured to settle. He felt pressured by the mediator, saying he received less visitation than he had before mediation. Four of eight mothers (50%) said they had felt pressured to settle – two by the father, one by time constraints and one by an unstated factor. However, despite feeling pressured, two of the four mothers did not agree to any settlement. Interestingly, only one of the three parents who reached an agreement they felt pressured into was dissatisfied with the agreement. These outcomes seem to indicate that although they felt pressured, they did not feel so pressured as to make decisions with which they did not feel comfortable. Therefore, they did not lose self-determination.

The number of respondents is insufficient to know if the relatively high percentage of mothers who felt pressured was replicated through all those who participated. Even so, the number of mothers who felt pressured to settle is a concern. This factor should continue to be monitored to ensure that self-determination is afforded the parents who participate in mediation.

Perception of the Process

A number of questions asked on the questionnaire were aimed at determining how well the parents thought the process was serving them. These included whether they would use mediation again, their satisfaction with the process, their sense of the fairness of the process, their satisfaction with what was accomplished, and their satisfaction with any agreement that was reached. The parents were also asked whether the mediation helped them and the other parent to understand each other better.

Would Use Mediation Again

In an indication of the parents' satisfaction with their experience, eleven of the sixteen parents (68.8%) said they would consider using mediation again. Of these, four said they definitely would use the process again, one said they probably would, and six said possibly. Five parents indicated they were disinclined to use mediation again. Three said they probably would not use mediation, while two others said they definitely would not.

Those who were inclined to use mediation again were more likely than not to focus on the benefits of the process rather than on the impact of mediation on the case:

- The judge listened to everyone's views. He talked to the child first and listened to him first and took his feelings into consideration too.
- Allows an agreement to be reached without attorney being involved.
- More relaxed setting.
- If my ex can come to a decision and then not pull out of it.
- I think the intentions of mediation are good, but if one person isn't willing to compromise it's hard to agree on issues.

Parents who were disinclined to use mediation again concentrated on its effect on the case rather than on the process itself. Further, at least two saw it as unnecessary because of the progress of the case:

- My ex and I have tried many times to come up with an agreement, but cannot. Further mediation attempts would delay the case.
- Didn't accomplish anything.
- Waste of time and money. Spouse not willing to agree.
- I'm satisfied with the time and scheduling I get with my son. The only reason I would need more mediation is if the mother and I had some kind of dispute we couldn't agree on.
- No - we have entered motion to order return of child and for the rule to show cause.

Satisfaction with the Process

The parents' reported satisfaction with the process follows a similar pattern, with greater satisfaction than dissatisfaction. Eight parents (50%) said they were satisfied, while another five (31.25%) were neutral. Three (18.75%) indicated they were dissatisfied.

Satisfaction with What Was Accomplished

Parents were less satisfied with what was accomplished than with any other aspect of mediation. This is not surprising, as the majority of the parents who returned evaluation questionnaires did not settle. Six of the parents (37.5%) said they were satisfied with what was accomplished in the mediation. Another four were neutral, while six disagreed. If the parents who reached full or partial settlement are looked at separately, the satisfaction rate increases: five of the eight (62.5%) said they were satisfied with what was accomplished in mediation, while two were neutral and one was dissatisfied.

Satisfaction with the Agreement

The greatest level of satisfaction was with any agreement reached. Almost all of the eight parents who reached settlement were satisfied with the agreement: six (75%) were satisfied with the agreement, while one was neutral and only one was dissatisfied.

Fairness of the Process

Parents by and large agreed that the mediation process was fair. When asked whether the process was fair to them, ten of the parents (62.5%) agreed. The other six neither agreed nor disagreed. No parent thought it was not fair.

Mutual Understanding

Parents were less likely to agree that the mediation helped them to better understand each other's point of view. Six agreed that mediation helped in this regard. Four disagreed that mediation helped the other parent to understand their point of view, while three disagreed that mediation

helped them to understand the other parent's point of view. One did not answer. The others were neutral on the subject.

Parent Experience with Mediation				
	Agree	Neither	Disagree	Total
Process fair	10	6	0	16
Helped other understand me	6	5	4	15
Helped me understand other	6	6	3	15
Satisfied with process	8	5	3	16
Satisfied with what was accomplished	6	4	6	16
Satisfied with agreement	6	1	1	8

Perception of the Mediator

The parents were overwhelmingly satisfied with the mediator. The parents were asked a series of questions about their views on the mediator and his ability to promote the right atmosphere for communication and settlement. These included whether they would use the mediator again, whether they felt the mediator was well-prepared, whether they felt the mediator gave them the chance to tell their views and listened carefully, and whether the mediator helped them to generate options for settlement.

All but one parent said they would use the mediator again. Twelve of the sixteen parents (75%) said they would definitely use the mediator again, while two said they probably would, and one said possibly. The one who said she definitely would not attributed this response to the fact that she did not ever want to mediate again. Other answers noting satisfaction with the mediator were that fifteen of sixteen parents (93.8%) agreed that the mediator was well-prepared (one was neutral), fourteen (87.5%) felt they had enough chance to tell their views (two were neutral), and fifteen (93.8%) said that the mediator listened carefully (one was neutral). Similarly, thirteen (81.3%) said that the mediator helped them to generate options (two were neutral, and one disagreed).

Parent Perception of Mediator				
	Agree	Neither	Disagree	Total
Mediator was well-prepared	15	1	0	16
Had enough chance to tell views	14	2	0	16
Mediator listened carefully	15	1	0	16
Mediator helped generate options	13	2	1	16

The parents' satisfaction with the mediator is reflected in their comments about him:

- Judge [] is a fantastic judge and mediator.
- I thought Mr. [] was very nice and listened to what I had to say.
- Judge [] was very personable and seemed good at what he does.
- I thought he was experienced enough to understand what was taking place.
- He did a very fine job.
- I think he realized both of our wants and was able to come up with the fairest possible settlement for both of us.
- He helped resolve some petty issues.

Despite overall satisfaction with the mediator, two parents had more equivocal comments on their experience with him:

- I personally liked Judge [] but he seemed to be more in favor of my child spending less weekends with me instead at least what I am entitled to by the joint custody papers of my divorce.
- Seemed okay. Didn't take sides.

Perceived Impact of Mediation

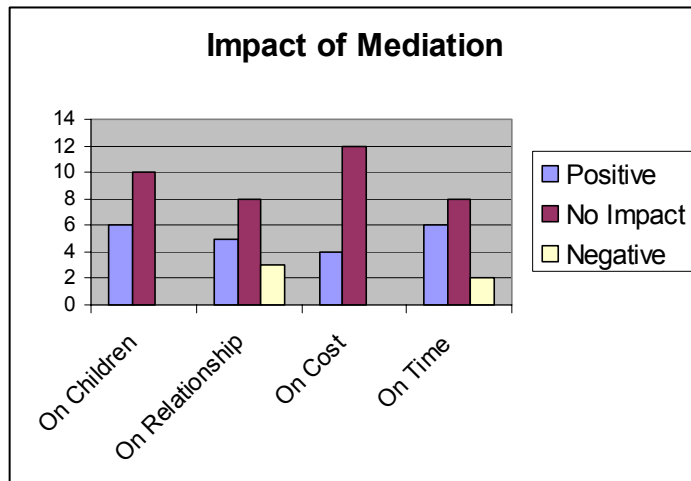
The parents were asked to assess the impact of mediation on the children, on dealing with the other parent regarding the children, on the cost of the case, and on the length of time it would take to resolve the case. Overall, parents tended to believe that mediation did not have an impact on these factors. However, when they did see an impact, it was mostly seen to be positive. Almost no adverse effects were noted by the parents.

Impact on Children and Relationship

In response to the question of what impact the mediation would have on their children, ten (62.5%) said it would have none. Six (37.5%) said it would improve things for their children - four said it would somewhat improve things for them, and two said it would greatly improve things for them. None of the parents believed that their participation in mediation had a negative impact on the children. The parents were mixed on their views of what impact participating in mediation would have on their future interactions. Eight (50%) said it would have no impact, while five (31.3%) said tensions between them would decrease, and three (18.8%) said tensions would increase.

Impact on Cost and Time

Twelve (75%) of the parents believed that the mediation had no impact on their costs of litigating the case, while the others (4, or 20%) thought it reduced their costs. None thought it would increase their costs. Parents were more positive about the impact of mediation on the time it would take to resolve the case, with six (38%) believing it would reduce time to resolution. Eight (50%) thought it would have no impact, while two (12.5%) thought it would increase time to resolution.



Comments

The final question for the parents was to comment on the mediation program or the mediator. Eight of the parents took the opportunity to further express their feelings about their experience in mediation. Their comments provided a mixed view among the parents. On the positive side, they said:

- I believe sitting down with a judge without attorneys present makes the process faster and saves cost. A judge is able to use his experience to guide both parties to a fair solution.

- I thought Judge [] did an excellent job given the situation.
- Judge [] is an excellent mediator.

Two parents thought the process was good, but their experience was not as positive:

- I felt the mediator was easy to talk to. I feel the mediation process could be very helpful to some parents, but did not benefit us. It took SO long to get the date for the mediation that now it has prolonged the case that much longer.
- I was very sorry for the fact that he worked with us all day and thought we had an agreement then my ex says, no he's not signing anything, and wasted everyone's time. Thank you for trying!

Parents who were less positive said:

- It seemed to be more in favor of the custodial parent receiving the more time with my child than actual fairness.
- I think the mediator should be allowed to become more involved in the process. With their experience I think they should be able to express their opinions on the case. I think it was unreasonable for me to spend almost 9 hours to settle custody and visitation.
- Had no significance. Nothing was accomplished.

Mediator's Perception of Impact of Mediation

To get further information on the effectiveness of mediation in this context, the mediator was asked four questions regarding the impact of mediation on the case: whether it helped to narrow or clarify the issues, whether it was helpful or detrimental to the resolution of the case, its impact on the pace of resolution, and its impact on the cost of litigation.

In evaluations of other programs, mediation has been found to narrow issues by highlighting points of agreement and removing extraneous issues. By doing so, mediation is often seen as streamlining the litigation process. The mediator saw the greatest impact of mediation overall as the narrowing and clarifying of issues. In all but five cases, he believed that mediation had a positive impact in this area. In the other five cases he was neutral. Given that nine cases did not settle, the mediator saw some progress in four of the cases that did not settle. This means that mediation may have had an impact on the litigation process even in those cases in which agreement was not reached.

In seven cases, the mediator believed that mediation was very helpful to the resolution of the case. In three, he said it was somewhat helpful. In the other nine, identical to the number that did not settle, he felt that mediation did not have an impact on resolution.

The mediator was more likely than the parents to say mediation had an impact on time and cost – either positively or negatively. His responses followed the settlement patterns of the case. He believed participation in mediation helped resolve the case more quickly in nine cases, while in seven he believed it would have no impact. In three cases, however, he thought the parents' participation in mediation would increase the time it takes to resolve the case.

The mediator's responses to the impact of mediation on cost reflect the settlement of cases. In those eight cases that settled in full, he believed that litigation costs were reduced through participation in mediation, while in both partially settled cases and in all but two cases that did not

settle, he believed mediation did not have an impact. In two cases that did not settle, he thought mediation increased the costs of litigation.

Recommendations

1. The relative success of the program, combined with the adoption of Supreme Court Rule 905 mandating the creation in all circuits of mediation programs for custody and visitation disputes, point to expanding the pilot to all counties and making it permanent.
2. No mediation program will have a major impact on the provision of justice if cases are not referred to it. It is therefore recommended that along with the establishment of a permanent program throughout the circuit, the court encourage judges to continue to examine all custody and visitation disputes for appropriateness for mediation and to refer them when appropriate.
3. Take care when deciding whether to send removal cases to mediation. Work with mediators to determine what factors make some cases more amenable to settlement than others, and communicate that information to referring judges.
4. The court (with assistance from CAADRS) and mediators should continue to monitor the issue of pressure within mediations to determine if this is an issue that needs to be addressed.

Conclusion

The pilot program has proven to be successful in both resolving cases and providing the parents with a viable alternative to traditional litigation. While referrals have been few, the number has been increasing in the past few months. Further, the proportion of cases being settled has also increased with the passage of time.

Parents have responded positively to the process – particularly when the cases have settled – and have given high marks to the mediator. While the parents have seen the impact of mediation on relationships, cost, and time as minimal, they have not found their experience to be negatively affected when the case has not settled.

One small area of concern is that five parents felt pressured to settle their case. Only two of those parents appeared to make decisions based upon this pressure and the small number of respondents does not allow for any real conclusions to be drawn about the experiences of all parents. Nevertheless, this factor should be monitored and steps taken to address it if need be.

Given the overall initial success of the pilot, the court's plan to expand the program to all counties in the circuit and to train more judges as mediators is valid. This is particularly true in light of the adoption of Supreme Court Rule 905, which mandates the provision of mediation for all pre-decree cases in which custody and visitation are in dispute.

APPENDIX A

**2ND JUDICIAL CIRCUIT
FAMILY MEDIATION PROGRAM
MEDIATOR REPORT**

Please fill out this form immediately after your final mediation session, and send it to the Center for Analysis for ADR Systems by fax at 312-922-6463 or by mail at 11 E. Adams, Suite 500, Chicago, IL 60603. Your responses will help the court know how well the mediation program is working. Thank you!

Mediator Name: _____ Date of Mediation: _____

Case Code: _____ Referring Judge: _____

County in which case was filed: _____

Outcome of the Mediation:

- A. Mediation was not held because:
 One or both parents failed to attend
 The mediator determined that circumstances exist that disqualify the case from mediation
- B. A mediation session was held and a settlement of this matter:
 has been reached
 has been reached *in part*
 has *not* been reached

C. Issues mediated:

(Check all that apply)	Fully settled	Partly settled	Not settled
1. <input type="checkbox"/> Child Custody	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. <input type="checkbox"/> Child Visitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. <input type="checkbox"/> Removal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. <input type="checkbox"/> Child Support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. <input type="checkbox"/> Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date mediation began: _____ Date ended: _____ Number of Sessions: _____

Hours in mediation: _____ Hours of Preparation: _____

Which of the following were used to conduct or assist in the mediation process?

- In-person meetings _____ %
 Telephone _____ %
 E-mail or internet _____ %

Please circle the number that corresponds to your level of agreement with the following statements:

- | | | | | | | |
|---|------------------------|---------------|---------------------------------|------------|---------------------|-----|
| 1. This case was appropriate for mediation: | Strongly Disagree
1 | Disagree
2 | Neither Agree nor Disagree
3 | Agree
4 | Strongly Agree
5 | N/A |
| 2. The litigants were emotionally ready to mediate their divorce: | Strongly Disagree
1 | Disagree
2 | Neither Agree nor Disagree
3 | Agree
4 | Strongly Agree
5 | N/A |
| 3. The mediation helped narrow or clarify the issues involved in this case: | Strongly Disagree
1 | Disagree
2 | Neither Agree nor Disagree
3 | Agree
4 | Strongly Agree
5 | N/A |

4. Overall, I am satisfied with what was accomplished in the mediation:

Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A
1	2	3	4	5	

5. Overall, how helpful or detrimental was the mediation in the resolution of this case?

1. Very helpful
2. Somewhat helpful
3. It had little impact on the case
4. Somewhat detrimental
5. Very detrimental

6. This case was referred to mediation:

1. too early
2. at the right time
3. too late

7. Do you think the assignment of this case to mediation:

1. Helped the case resolve *more quickly*
2. Will have *no effect* on the time it takes to resolve the case
3. Will *increase* the time it takes to resolve the case

8. Do you think the assignment of this case to mediation:

1. Has *reduced* (or will reduce) litigation costs to the parents
2. Will have *no effect* on costs to the parents
3. Will *increase* litigation costs to the parents

9. If the case did not settle, why not (Check all that apply)?

1. One or both parents did not participate fully
2. Issues were too numerous
3. Issues were too complex
4. One or both parents were too entrenched in their positions
5. One or both parents not ready to deal with the divorce
6. Other: _____

10. Please check the actions you undertook in the mediation:

<input type="checkbox"/> Advocated on behalf of the children	<input type="checkbox"/> Focused on the emotional aspects of the conflict
<input type="checkbox"/> Gave an opinion of the likely outcome	<input type="checkbox"/> Focused on future communication between the parties
<input type="checkbox"/> Helped parents steer clear of emotional issues	<input type="checkbox"/> Helped parents address emotional discussions
<input type="checkbox"/> Talked with parties individually more than jointly	<input type="checkbox"/> Talked with parties jointly more than individually
<input type="checkbox"/> Suggested a particular settlement to parents	<input type="checkbox"/> Helped parents generate their own options

11. I had enough chance to tell my views on the dispute:
 Strongly Disagree 1 Disagree 2 Neither Agree nor Disagree 3 Agree 4 Strongly Agree 5 N/A

12. The mediator carefully listened to my side of the case:
 Strongly Disagree 1 Disagree 2 Neither Agree nor Disagree 3 Agree 4 Strongly Agree 5 N/A

13. The mediator helped me to come up with options for settling the dispute:
 Strongly Disagree 1 Disagree 2 Neither Agree nor Disagree 3 Agree 4 Strongly Agree 5 N/A

14. The mediation helped the other person to understand my point of view:
 Strongly Disagree 1 Disagree 2 Neither Agree nor Disagree 3 Agree 4 Strongly Agree 5 N/A

15. The mediation helped me understand the other person's point of view:
 Strongly Disagree 1 Disagree 2 Neither Agree nor Disagree 3 Agree 4 Strongly Agree 5 N/A

16. Overall, I am satisfied with the mediation process:
 Strongly Disagree 1 Disagree 2 Neither Agree nor Disagree 3 Agree 4 Strongly Agree 5 N/A

17. The process was fair to me:
 Strongly Disagree 1 Disagree 2 Neither Agree nor Disagree 3 Agree 4 Strongly Agree 5 N/A

18. Overall, I am satisfied with what was accomplished in the mediation:
 Strongly Disagree 1 Disagree 2 Neither Agree nor Disagree 3 Agree 4 Strongly Agree 5 N/A

19. Overall, I am satisfied with the agreement (if reached):
 Strongly Disagree 1 Disagree 2 Neither Agree nor Disagree 3 Agree 4 Strongly Agree 5 N/A

20. Overall, what impact will mediation have on your child(ren)?
 1 Greatly improve things for them
 2 Somewhat improve things for them
 3 No change
 4 Make things somewhat worse
 5 Make things a lot worse

21. Did you feel pressured to reach agreement in mediation? (Check all that apply)
 1 No
 2 Yes, by the mediator
 3 Yes, by the other parent
 4 Yes, by time or money limitations
 5 Yes, other: _____

22. What do you believe will be the effect of mediation on dealing with the other parent regarding the children?
 1 decreased tensions
 2 didn't change anything
 3 increased tensions

