

Why Every Parent Should Choose Mediation Over Litigation ***The Science of Latest Studies Leave No Doubt As To Mediation's Long-Lasting Advantages***

By Lawrence F. King, J.D., Attorney-Mediator

As a full-time divorce and family mediator, I know firsthand the very real benefits of divorce and custody mediation, and many folks approaching divorce *have heard* of how the alternative of mediation can save costs and time, and preserve control over their after-divorce futures. Most divorcing or separated parents also understand *from their own or others' experience* that litigation of divorce or parenting disputes often results in costly and emotionally destructive battles with harmful effects on the parties and especially on their children.



Recent scientific research now confirms these beliefs and demonstrates the persistent, positive benefits of mediation in divorces involving children. As detailed in his recent book, *The Truth About Children of Divorce*, nationally recognized divorce researcher, therapist, and mediator, Robert Emery, Ph.D. has released his striking studies conducted with the highest scientific standards and contrasting the long term experience of couples *randomly* assigned to mediation rather than litigation of their custody disputes. (Dr. Emery's studies at the University of Virginia's Center for Children, Families and the Law used completely random assignment to ensure that both mediation and litigation groups included the full spectrum of couples as characterized by their styles of relating with each other. Couples evaluated as "cooperative," "distant" and "angry" were randomly distributed to both groups.)

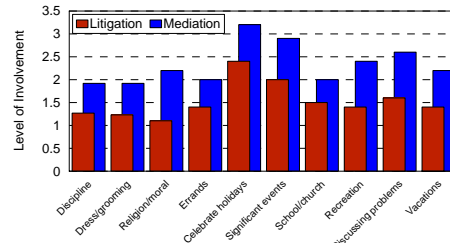
Dr. Emery's studies demonstrate an astonishing benefit to couples taking control of their own destiny and attempting to work out their own agreements in mediation.

Consider, that *twelve (12) years later* after an average of *only five (5) hours of mediation*, at the time of the parties' divorce . . .

- 28 percent of the nonresidential parents who mediated saw their children at least once a week, in comparison with 9 percent of parents who were assigned by the study to resolve their dispute by litigation!
- 36 percent of nonresidential parents who litigated had not seen their children in the last year, in comparison with 16 percent of parents who were assigned to mediation!
- Among families who mediated, fully 59 percent of nonresidential parents talked to their children weekly or more often, compared with just 14 percent of nonresidential parents who litigated!

- Finally, in comparison with families who went to court, the residential parent of couples who mediated, consistently reported that the nonresidential parent discussed problems with them more and participated more in the children's discipline, grooming, religious training, errands, special events, school and church functions, recreational activities, holidays and vacations!

Parent Cooperation Matters After Divorce: Nonresidential Parents' Involvement in Childrearing 12 Years After Disputes



Emery et al., 2001; Nonresidential parents were significantly more involved with children if they were assigned to mediate versus litigate custody disputes. Five hours of mediation caused these differences 12 years later.

In short, the scientific evidence of recent studies makes clear what many divorce professionals have long known:

No choice you make as a separated or divorcing parent can be as influential on your family's future as whether you choose mediation or litigation.

In Dr. Emery's words: "How you negotiate your divorce settlement [using mediation or litigation] is going to start you down a path that you will be walking for many, many years."

*Lawrence F. King, Attorney-Mediator
Divorce Resolutions®, Colorado Center for Divorce Mediation™*

for more information about Dr. Emery's studies and mediation, see our website at:
www.ColoradoDivorceMediation.com

About the author:

Lawrence F. King, J.D., is a full-time Colorado divorce and family law attorney-mediator. Larry is the director of Divorce Resolutions®, Colorado Center for Divorce Mediation™.