

# Negotiate a HEALTHY DIVORCE

## Prepare for mediation—it's required in Texas

By Trey Yates

**M**any family law courts in Texas, including those in the greater Houston area, require couples seeking divorce to try mediation first. This is an attempt to resolve divorce issues without the expense of a trial.

Mediation can be very useful in divorce cases, and offers couples the opportunity to save time, reduce costs, maintain

privacy, preserve their dignity, resolve disagreements and better control their future relationship, especially if minor children are involved.

Divorcing couples who use mediation must gather and share information, agree to set goals, negotiate, compromise, and abide by the results. Generally, each spouse and their attorneys select a third party as a mediator, who may be an attorney, a mental-health professional or other professional trained in mediation techniques, divorce law and conflict resolution. There is usually a cost for the mediator's services. Mediators have no decision-making authority, but strive to help the parties identify issues to be resolved and develop options that satisfy them both.

The mediation session can be structured to fit each case, but typically each spouse and his or her attorney are seated in separate rooms and the mediator shuttles back-and-forth with offers and counter offers as they work toward a settlement.

At the end of each mediation session, the mediator will draft a memorandum of understanding reflecting a tentative agreement. This document will be sent to each party and the attorneys for review, revision and/or additions. A final memorandum, or Mediated Settlement Agreement (MSA), will then be drafted and sent to both sides for final review and signing.

Once signed, it will be submitted to the court for approval and processing.

When successful, mediation provides an effective way for divorcing couples to resolve issues and find a way to move forward without going to court.

For more information or to register for the Sept. 28 seminar on the topic of divorce law in Texas, visit [www.GuideToGoodDivorce.com](http://www.GuideToGoodDivorce.com), or call 713-932-7177. ■



### Mediated Settlement Agreement

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