

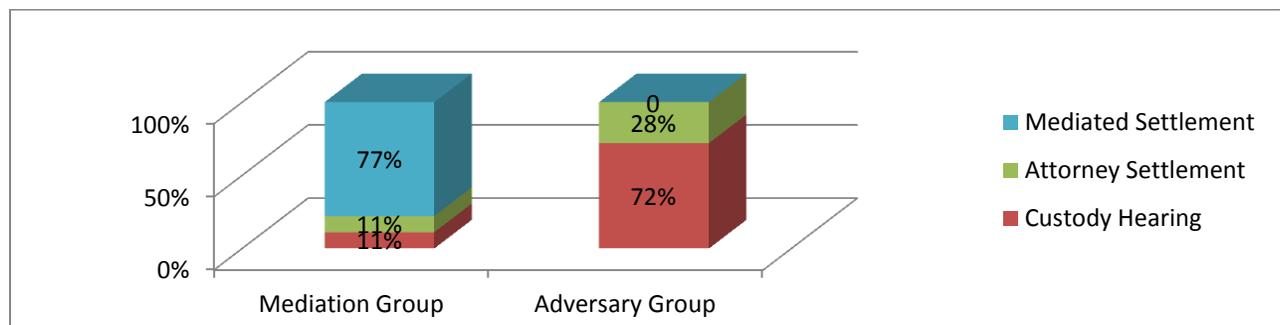
Effects of Mediation – 12 Years Later

Does mediation work? If so, how can we tell? What do we measure and how do we measure it? In his book, *Renegotiating Family Relationships: Divorce, Child Custody and Mediation* (2012 Guilford Press), Robert Emery, PhD, Professor of Psychology and Director of the Center for Children, Families, and the Law at the University of Virginia, conducts a thorough review of the scientific research studying mediation and its effects upon separating and divorcing parents who are conflicted about how to proceed in planning and caring for their children.

Of particular note is one of his own research projects, a 12 year randomized study of mediation and its effects. All of the parents in this study had petitioned a Virginia court for a contested custody hearing. They were randomly assigned (a flip of the coin) either to try to resolve their disputes in mediation or to continue with legal proceedings. Emery and his associates then *assessed these families multiple times over the course of 12 years after they resolved their disputes in mediation, in court, or in whatever way they could.*

What were the findings? Parents already requesting a custody hearing were 7 times more likely to settle outside of court by using mediation!

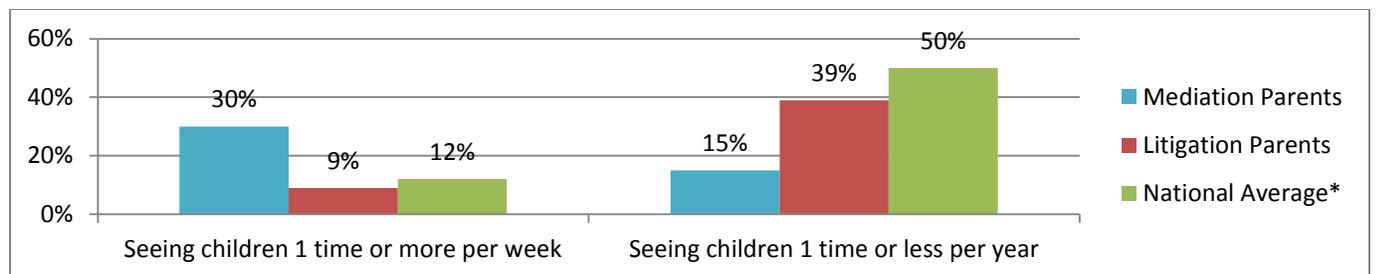
Settlement Rates:



These results are consistent with statistics compiled world wide in many different countries and cultures showing that mediation results in a settlement 50% - 90% of the time. (Kelly, 2004; Walker 2010)

By following these parents for 12 years Emery was able to track and compare the results of a mediated settlement vs. litigation. The findings indicate surprising long-term effects from a short time in mediation. (The average was less than 6 hours of mediation.)

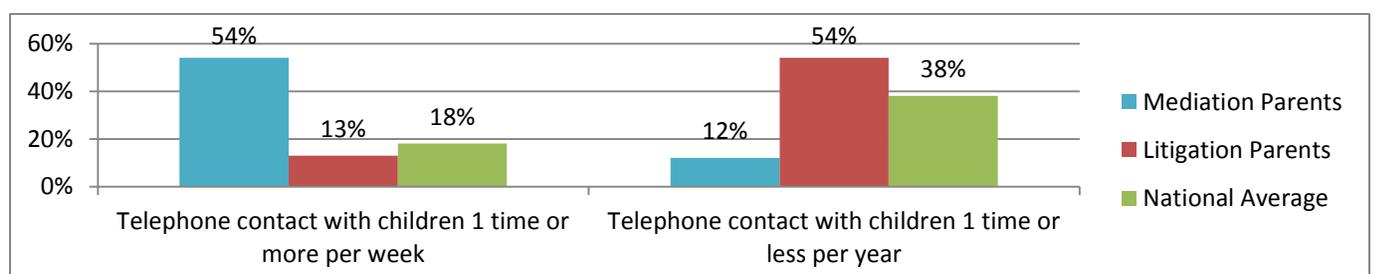
Non-residential parent contact with children 12 years later:



*Direct nonresidential parent-child contact 12 years after random assignment to mediation or litigation. “National” is nonresidential father-child contact 11 or more years after divorce in a national sample (Seltzer, 1991) and is included only as a comparison.

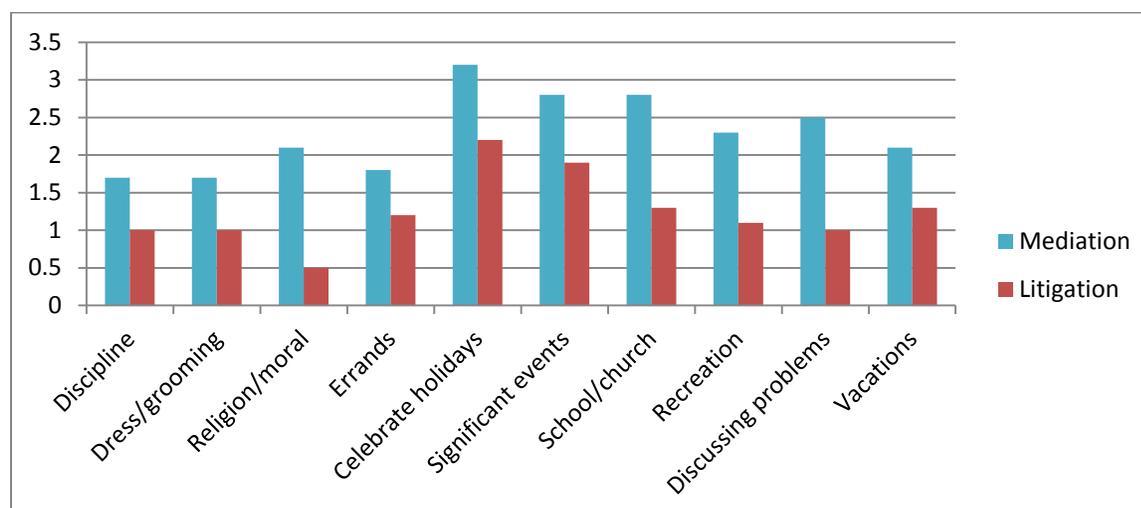
Non-residential parent telephone contact with children 12 years later:

Since parents often move and physical contact is more difficult, Emery measured phone calls 12 years later as well.



Non-residential parent involvement and quality of parenting:

Of course it isn't simply "contact time" that counts. The quality of the time and what the parents do matters. Emery states, *In fact, nonresidential parents who mediated got significantly better "grades" in every area of parenting as reported by the residential parents.*



Residential parent's report of nonresidential parent's involvement in various areas of parenting 12 years after random assignment to mediation or litigation. Response alternatives ranged from 1 = never to 5 = always (Ahrons, 1981)

Because this study was truly randomized Emery is accurate and truthful when he summarizes, *These differences are statistically significant, and in many ways, they are amazing. An average of less than 6 hours of mediation caused these huge differences in contact 12 years later.*

Other research has demonstrated that *parents who mediated reported significantly less conflict when compared with parents who litigated* (Sbarra & Emery, 2008).

Separating and divorcing parents need community support to choose alternative forms of dispute resolution. This support is especially important early on because research shows that the earlier separating and divorcing parents enter mediation the higher the success rate (Zuberbuhler, 2001). Family, friends, co-workers, therapists, pastors, attorneys, judges and civic leaders can all learn about and understand the long term benefits to children, parents and society when disputes are settled in a cooperative process like mediation. Each can choose to be one of many voices gently encouraging separating parents to consider planning their own and their children's future through a collaborative process rather than an adversarial one.

For more information on mediation and other alternative dispute resolution processes such as collaborative divorce, please contact: **Jim Linder, Mediator** jlinder@infant-parent.com
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