Mediation, arbitration, and alternative dispute resolution are the newest trend in the area of family law and represent the future as it relates to the resolution of family law matters.

In mediation, the parties meet with an impartial mediator who does not formally represent either of the parties. The mediator works with the parties in an effort to reach a mutually agreeable resolution of all outstanding issues. Mediation typically costs less than litigation and generally produces an agreement which tends to have a more long-lasting effect. The reason for this is that the agreement is the product of the mutual agreement of the parties. Mediation also tends to reduce the amount of stress and anxiety normally associated with the litigation process. The final agreement reached by the parties in the mediation then forms the basis for the final divorce, dissolution, or separation agreement of the parties.

Arbitration is another form of alternate dispute resolution. Rather than the parties seeking recourse in the courts, the parties may agree to binding arbitration of any issues in dispute. The matter is then presented to an arbitrator who renders a binding decision. The parties are compelled to abide by the decision of the arbitrator. Much like mediation, the cost of arbitration tends to be less than that of litigation. Arbitration is different from mediation in that the arbitrator renders a decision which is imposed upon the parties. In mediation, the parties reach the ultimate agreement themselves and the agreement is then incorporated into a binding document.

Many Courts in New Jersey are now requiring parties to attend mandatory mediation sessions incident to litigation. For example, the parties may be referred to custody and parenting time mediation prior to those issues being brought before a Court for a decision. In addition, many Courts in New Jersey are now requiring the parties to attend mandatory economic mediation as part of the litigation process. Jessica N. Mazur, Esq. has been appointed to the Court Approved Economic Mediator Roster by the New Jersey Courts. Mediation is being incorporated into the litigation process to aid the parties in reaching a mutual agreement on outstanding issues without having to incur unnecessary cost and the emotional stress incurred in a litigation setting.

The Family Law attorneys at Hoagland Longo are experienced in all facets of alternative dispute resolution. They have successfully mediated and arbitrated many cases with successful results. We encourage you to contact our Family Law attorneys to discuss these alternatives to litigation to ascertain if one of these forms of alternative dispute resolution is appropriate for resolution of your case.

For Mediation and Arbitration Services:

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