

Child Support – Mediation Simulation

Mediation is a voluntary process where a trained mediator helps parents make decisions about their family after separation. The following scenario is an example of a family law conflict involving child support that may be resolved through mediation.

There are three roles in this mediation simulation:

Mediator

Parent #1 (Megan)

Parent #2 (Alex)

The role of the mediator is to create options for the parents that are fair and respectful to both individuals. The mediator must remain objective and critically analyze the information that is provided. The mediator does not take sides with either parent. The mediator must also be alert to changes in the mood and position of parties and take these changes into account when making suggestions. The parents may elaborate on the brief facts that are provided.

MEDIATION SCENARIO

Megan and Alex have always been very involved in the lives of their two children, Steven (10) and Rachel (8). Even after they made the difficult decision to separate they continued to put the interests of their children first. To maximize time with both parents, they agreed that they would provide care when the other parent had plans or was unable to care for the children. Megan and Alex met with a mediator when they first separated and worked out a parenting agreement which they had confirmed as a consent court Order. They had joint custody and were both involved in decision-making. Megan had final decision-making power and primary care and control. Alex works 10 hour night shifts during the week, so the arrangement was that the children were in Megan's care from Monday morning until Friday morning. After school the children were picked up by Megan's parents who cared for the children until Megan came home from work at 5:00 p.m. On Fridays, Alex picks up the children from school at 3:30 p.m. and cared for them until he returned them to school on Monday at 8:30 a.m.

This arrangement had been working well for the family. However, last month Megan was informed that the company where she had been working for the last ten years was downsizing and centralizing their operations out of Calgary. Megan was offered an increase in salary and a more senior position at the Calgary office along with compensation for moving expenses. The Winnipeg office would eventually be closed. Megan had been unable to find comparable employment in Winnipeg while considering her options. She decided that the move to Calgary would be in her best interests. She had some family that resided in Calgary that would help her find good schools for the children and would help her locate appropriate child care.

Megan wants to change the custody order and have the children to move with her. Alex wants the custody order to stay the same.

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