



Family Law
Mediation &
Collaborative Divorce

DIVORCE MEDIATION PROCESS

Many divorce mediation clients have questions about what is involved in the entire mediation process. Here are the ten general steps with our office that will take you from the beginning of the process to having a finalized divorce.

1. After agreeing to initiate the separation or divorce process and executing the Mediation Fee Agreement, my office will prepare the Summons and Petition, Family Law Certificate of Assignment, and, if there are minor children, the Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). These forms are signed by the Petitioner, and returned to my office for filing with the court, along with the \$435.00 filing fee check. If necessary, following the filing and service of the documents listed above, my office will also prepare the Response and Respondent's Declaration under UCCJEA. These forms are signed by the Respondent, and returned to my office for filing with the court, along with a second \$435.00 filing fee check.
2. Through a series of mediation sessions, agreements are negotiated on a variety of issues (please refer to the "Divorce Mediation Topics" handout for further information). The agreements are written up in a draft legal document called a Marital Settlement Agreement (MSA).
3. Each party will review the draft MSA and may also have independent advising counsel review it.
4. If necessary, the parties may come back to an additional mediation session to discuss any proposed changes to the MSA.
5. Weber Dispute Resolution will then complete the final MSA.
6. Weber Dispute Resolution will also prepare other additional required court forms that accompany the MSA. These forms are required by the court. These forms, along with the MSA, comprise the "Judgment Packet."
7. The parties coordinate with Weber Dispute Resolution to arrange signing of the MSA, along with the required court forms. Please note that the MSA will require original signatures, and cannot be signed electronically or through fax.

8. Weber Dispute Resolution will then submit the entire signed Judgment Packet to the court for review by the judge. Please note that due to statewide budget cuts, the courts have been understaffed and consequently have taken an increasingly long time to review Judgment Packets. The turn-around time has frequently taken about 4-5 months. Occasionally, although rarely, the court may return the Judgment Packet and require changes. If this happens, Weber Dispute Resolution will make the required changes and resubmit the Judgment Packet to the court.
9. Once the judge approves the Judgment Packet, the court returns copies of all documents to my office, which in turn will forward them to each party. The form entitled "Judgment of Dissolution" provides the date that the divorce will be final. As required by law, this date is at least six (6) months from the date on which the Summons and Petition and other forms listed in Item 1 were served on the Respondent. **You will not be divorced until the Court has formally terminated your marital status by way of the Judgment of Dissolution.**
10. The court will also send each party a form entitled "Notice of Entry of Judgment." The date listed on this form is the date the divorce is finalized.