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What 3 Things Should I Bring To My First Divorce Mediation Session?

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Mediation Coach and Divorce Mediator Carmela M. Miraglia discusses the 3 items every spouse should bring to their first mediation session.

Preparing for your first [divorce mediation](#) session is important. Preparation helps ensure that the session runs smoothly and the parties accomplish as much as possible, potentially saving time and [money](#) in the long run. Being well prepared also helps reduce stress levels and make parties feel more in control of an unfamiliar process.

Here are three items you can bring to your first session to assist your mediator and yourself.

1. Bring a Rule 401 Financial Statement

Massachusetts law requires divorcing spouses to file a [Rule 401 Financial Statement](#). In many divorce mediations, the single most helpful action spouses can take is bringing completed Financial Statements to the first session. It can also be helpful to bring a recent paystub or your last year's W-2, along with a list of assets and liabilities, to provide the mediator with more basic information about your family's finances. Much of the first mediation session is centered on gathering information and logistics. While the mediator will typically begin by telling the parties [how mediation works](#), talk will soon turn to [setting goals for the mediation](#) and determining how those goals can be achieved. Other than [child custody and parenting time](#), each spouse's goals are generally grounded in finances. The earlier the mediator can have an understanding of the marital estate - what the parties own and what each party would like to retain after the divorce - the earlier he or she can begin to discuss each spouse's objectives, on the way to a successful divorce agreement. Information the mediator is looking for includes:

- Mortgage information, including who is on the title to the house
- Car loans, including who has title to the vehicle(s)
- A list of credit cards (both marital and individual) and the balances on the cards
- Bank accounts, both joint and individual
- Retirement accounts
- Student loan debt
- Personal belongings that are worth more than a few hundred dollars

Most of this information is provided on the [Rule 401 Financial Statements](#), so be sure to bring one with you to the first sessions.

2. A Copy of Your Child's Calendar

Among the biggest challenges faced by mediators is understanding the practical issues surrounding **parenting time**, including each parent's work schedule and availability and the activity schedule of children. Mediators are often looking for any objective child-related information they can find to kick-start a discussion on parenting time. A simple calendar that explains when your child is home, at school, playing sports, or engaging in other activities can be surprisingly helpful to a mediator seeking to address custody and parenting time in practical terms.

3. A Cheat Sheet of Your Goals and Interests, Post-Divorce

Lastly, it can be helpful for the mediator to hear what each party expects from the divorce at the first meeting. Many couples find that a "cheat sheet" of expectations help focus the mediation sessions on **interests and positions**, rather than **areas of conflict**. A personal **list of goals** also serves to focus the parties on what is important to them even before the mediation begins. Going into the first mediation session with a clear financial picture and a list of goal the parties want to accomplish will lead to a more successful mediation experience.



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