

# MEDIATION WORKSHEET

It is always helpful if you are as prepared as possible when coming to a mediation session. Here are some common issues that are dealt with in mediation. You may want to consult with your attorney as to what your position might be with regard to any or all of these matters.

## LIVING ARRANGEMENTS/VISITATION/CHILD CARE

You may want to make notes as to how you want time spent with your children to occur. Your agreement can be as simple or as detailed as you wish. The *sample* language below is merely that, and just reflects common phrases that have been used in other visitation agreements.

### VISITATION: SAMPLE LANGUAGE

1. Regular Visitation - Every other weekend commencing at 6:00 p.m. Friday, with the child to be returned by 6:00 p.m. Sunday, unless otherwise mutually agreed to by the parties. The first such regular visitation shall commence on Friday, \_\_\_\_\_, 20\_\_\_\_ and alternate on a regular basis thereafter, with the possible exception of interference with holiday/summertime visitation as outlined below.

2. Extended Summertime Visitation - \_\_\_\_\_ days/weeks/months out of each summer, with said visitation to initially encompass \_\_\_\_\_ through \_\_\_\_\_, 20\_\_\_\_, or as otherwise mutually agreed to by the parties. During this period of time, the Mother/Father shall be allowed access to the children by telephone at least one/two days per week, or as the parties may mutually agree otherwise.

3. Easter or Spring Break - \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Mother's Day - The Mother shall have the right to exercise visitation with the child on the weekend including Mother's Day.

5. Father's Day - The Father shall have the right to exercise visitation with the child on the weekend including Father's Day.

6. Thanksgiving Holidays - \_\_\_\_\_

Some parties alternate this holiday; some split the holiday.

7. Christmas Holidays - \_\_\_\_\_

Some parties alternate these holidays; some split the Christmas holidays as follows: From the day after school lets out through Christmas morning; From Christmas afternoon through New Year's Day

8. Child's Birthday? - \_\_\_\_\_

9. Special Holidays? (Parent's birthdays? Hannukah? etc.) - \_\_\_\_\_

OTHER COMMON LANGUAGE THAT HAS BEEN REQUESTED IN PARENTING AGREEMENTS: (YOU MAY WISH TO ASK THAT SOME OR ALL OF THESE PARAGRAPHS BE INCLUDED IN YOUR AGREEMENT)

COMMUNICATION:

1. Letters - The parties agree that while the child is in their care, they will allow him/her to send and to receive letters and packages from the other parent.

2. School report cards/records - The parties agree that they should both be entitled to receive copies of all school report cards, progress reports, and related materials.

3. Medical records - The parties agree that they should both be entitled to have access to all medical records with regard to their child.

4. Addresses and telephone numbers - The parties agree that they should both be knowledgeable of the address and telephone number where their child may reside. The parties agree that while the child is in their care, they shall provide the other parent with this information. The parties further agree that they should be able to contact each other in case of emergencies.

JOINT CONFERENCES WITH DOCTORS, SCHOOL OFFICIALS: The parties agree that they both desire to be apprised of any *major* decisions that need be made with regard to their child, including but not limited to medical and educational needs. The parties agree that while the child is in their care, they shall contact the other parent so as to confer in this regard.

EXPOSURE OF CHILDREN TO HARMFUL INFLUENCES: The parties both agree that while the child is in their care, they shall not expose their minor child to harmful or immoral activities, inclusive of drugs, alcohol, immoral acts, etc.

EMERGENCIES: The parties both agree that they should be contacted in case of emergency. The parties agree that while the child is in their care, they shall contact the other parent as applicable.

ENSURING LOVE AND AFFECTION: The parties both agree that while in their care, the best interest and welfare of their child shall be of the utmost importance. The parties further agree that they will be not use derogatory language when referring to the other parent, as it is agreed that said child is entitled to love both of his/her parents, and it is in the child's best interest to allow him/her access to and contact with the other parent. The parties further agree that they will not attempt to bar each other from spending as much time as possible with their child.

OTHER COMMON ISSUES REGARDING CHILDREN TO CONSIDER;  
THESE MAY OR MAY NOT HAVE ANY RELEVANCE TO YOUR  
SITUATION

COLLEGE EDUCATION?

HEALTH INSURANCE/DENTAL INSURANCE?

UNUSUAL EXPENSES?

CHILD SUPPORT: (COMMON LANGUAGE) AThe parties agree that child support shall conform to that dictated by the S.C. Child Support Guidelines.@ (IF SUPPORT DEVIATES, MUST DOCUMENT REASONS WHY.)

TAX DEDUCTION: SC Law states that the parent having primary custody automatically gets the tax deduction for that child. The parties can

agree otherwise, as they choose, but it must be made an Order of the court and/or an IRS form would need be completed.

**OTHER COMMON ISSUES TO CONSIDER WITH REGARD TO  
MARITAL ASSETS/PROPERTY; THESE MAY OR MAY NOT HAVE  
ANY RELEVANCE TO YOUR SITUATION**

SPOUSAL SUPPORT  
OUTSTANDING DEBT  
LIFE/HEALTH INSURANCE ISSUES

**REAL ESTATE**

If you have any real property, it would be wise to come to mediation with information as to how much equity you have in such property, etc.

Marital home  
Timeshare  
Vacation home  
Rental/investment  
land

**VEHICLES (CARS)**

If you have vehicles to discuss, you may want to ascertain the value of them (you can go to the Library and get the NADA values) and also have the info. on the balance owed on any such vehicles.

Title (in both names? In one name?)  
Taxes/insurance

**VEHICLES (RECREATIONAL)**

STOCKS/BONDS  
CHECKING ACCT.  
SAVINGS ACCT.  
CERTIFICATE OF DEPOSIT  
IRAS  
PENSION PLANS

**OTHER INTERESTS (BUSINESS, ETC)**

**CASH VALUE FOR INSURANCE**

**PERSONAL PROPERTY**

Furniture, jewelry, etc.

If you have personal property to divide, it would be wise to bring with you a list of what items you would like to obtain.

PETS