



## FAMILY MEDIATORS TRAINING & PRACTICUM SCHEDULE

### **DAY 1 – Friday, January 24<sup>th</sup> 1:00pm to 5:00pm**

DoubleTree by Hilton – Irvine Spectrum, 90 Pacific, Vintage A, Irvine, CA 92618

Afternoon Session – Part 1 1:00 to 2:30pm

#### **Module 1 – Initial Client Contact and Initial Consultation**

Enrolling the Client in the Mediation Process

Mediation Agreements: Flat Fee and Hourly Options

Establishing expectations and boundaries for a successful mediation

Workflows

Building efficiency with client communication templates

Provide Client with "Homework"

Secure storage of client information

**Module 1 – Practicum:** Complete Client Intake & Enrollment in Process

**BREAK- 2:30 to 2:40 pm**

Afternoon Session – Part 2 2:40 to 5:00pm

#### **Module 2 –Mediation Session 1 - Information Gathering & Educating Your clients:**

Commencing the Legal Process:

Designation of parties as Petitioner and Respondent, date of separation and other required information to file Initial Paperwork with the court

Timing – Discuss 6 month rule and mediation process

Default/Uncontested Divorce Process Generally

How to complete Disclosures Forms and comply with required disclosure procedures

Discussion with the parties regarding any early proposals for disposition of marital property and potential undisputed issues

Maintaining the Status Quo and Temporary Agreements for Support during the Mediation Process

Diagnosing what experts are needed

### **Marital & Separate Property**

- Characterization
- Valuation
- Special Rules and Information for Competently Handling Real Estate
- Special Rules and Information for Competently Handling Retirement
- Relevant Family Law Statutes and Cases

Review of Mediation Session 1

Review of fact pattern for Module 2 Practicum and assign groups

**DAY 2 – Saturday, January 25** **9:00am to 4:30pm**

DoubleTree by Hilton – Irvine Spectrum, 90 Pacifica, Vintage A, Irvine, CA 92618

**BREAKFAST** *8:30 to 9:00am*

Morning Session - Part 1 *9:00am to 10:30am*

### **Module 2 – Practicum: Mediation Session 1 - Roleplays on educating the clients about the Disclosure Process**

Discussion/feedback

**MORNING BREAK 10:30am to 10:40am**

Morning Session – Part 2 *10:40am to Noon*

### **Module 3 – Mediation Sessions 2 & 3 - Facilitating the Negotiations:**

Mediators, tips, tools and strategies to facilitate the client negotiation process as obstacles to settlement arise.

Generating Options for Settlement, making proposals, counterproposals and brainstorming

Managing emotions and conflict during mediation sessions

Being aware of your biases, managing high conflict participants and conflict avoidant clients.

How to help reality test proposals with your clients, fine tune the details – determining whether to refer parties to consulting attorneys or other divorce expert

Make use of a Terms Sheet to summarize their negotiations and/or using judgment template to draft proposed settlements

## **Module 3 - Practicum 3:** Session 2-3 - Complete One (1) Mediation Session roleplay facilitating a session of clients negotiating allocation of assets and debts and preparation of Marital Balance Sheet

## Discussion/feedback

## **LUNCH BREAK *Noon to 1:00pm***

Afternoon Session – Part 1 *1:00pm to 2:30pm*

## **Module 4 – Session 2, 3 or - 4 Parent Planning:**

How to help clients diagnose what type of parenting plan will work for their family. Nesting options, age-appropriate parenting schedules, safety concerns, long-distance parenting plans, and adult children's college and other expenses.

## Introduction to parenting plan templates

## AFTERNOON BREAK 2:30-2:40

Afternoon Session – Part 2 2:40 – 4:30pm

## **Module 4 - Parent Planning- Practicum** Complete 1 Mediation Session roleplay facilitating a parent planning mediation session

## Discussion/feedback

**DAY 3 – January 26<sup>th</sup>, 2025**

**9:00am to 3:00pm**

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**BREAKFAST 8:30am to 9:00am**

## Module 5 – Understanding

Module 5 – Understanding Guideline Support Child and Teacher

## **Module 5 – Understanding Guideline Support Child and Temporary Spousal Support:**

- Income Available for Support – Family Code Sec
- Difference between Temporary and Permanent Spousal Support

- Guideline Child & Spousal Support
- Smith Ostler Additional Child Support
- Required Additional Child Support add-ons and
- The new pro rata sharing Family Code S 4062
- Tax Exemptions, Child Related Tax Credits, Head of Household
- Discretionary child expenses: school related, extracurricular activities
- Adult children's expenses including college expenses, health
- Insurance, vehicle expenses, etc.

Using Dissomaster in determining Guideline Child Support & Temporary Spousal Support

**MORNING BREAK 10:30 to 10:40pm**

Morning Session – Part 2 *10:40 to Noon*

**Module 5 - Practicum:** Complete 1 Mediation Session roleplay facilitating a temporary child and spousal support mediation session

Discussion/feedback

**LUNCH BREAK Noon to 1pm**

Afternoon Session *1:00pm to 3:00 pm*

**Module 6 – Long Term Spousal Support: How to help you clients negotiate the most subjective aspect of their divorce**

Marital Standard of Living

4320 Factors

Amount of Support, Duration, Jurisdiction & Modifiability

Creative Options – lump sum buy out, payment of expenses in lieu of spousal support, etc.

Advanced Issues

Spousal Support and Taxes

How to use Chat GPT to support spousal support buyout

**Module 6 – Practicum – Mediate Long-Term Spousal Support**

Discussion/Feedback

**DAY 4 – January 31, 2025**

**9:00 to 4:00 on Zoom**

Morning Session – Part 1

*9:00am to 10:30am*

**Module 7 – Tips and tools to successfully mediate via Zoom.**

Essentials for Conducting Online Mediation Sessions

Ai Tools to support your efficiency.

Demonstrating how to use screen sharing when educating your clients about how to fill out their Disclosure Forms, completing Marital Balance Sheet, Dissomaster and other tools online

Discussion/Feedback

**MORNING BREAK *10:30am to 10:40am***

Morning Session – Part 2

*10:40 to Noon*

**Module 7- Practicum- Mediate over Zoom using Whiteboard, ChatGPT and screen sharing a long-term spousal support buyout**

**LUNCH BREAK *Noon to 1:00pm***

Afternoon Session – Part 2

*1:00pm to 3:00pm*

**Module 8- Drafting Settlements & Stipulated Judgments – Final Matters**

Using Templates for Memorandum of Understanding and/or Stipulated Judgments

How to avoid the unlawful practice of law

Preparing Final Judgment and paperwork required to process default and uncontested judgments (Judicial Council Forms required and optional)

Options for drafting final paperwork: Mediator prepared, LDA, or clients referred to attorney to document final settlement

Tips for conducting final mediation session for signing Stipulated Judgment & supporting paperwork

Electronic filing of final paperwork, over the counter filings, jurisdiction differences

Follow up to see the judgment are entered and documenting mediation termination

Best practices for final client communication:

Post-Judgment Checklist

Final Closing Letter

Name Change – follow up – certified copy – checklist

Making yourself available for post-judgment modifications

Reminders regarding future modifications, fees

Final discussion/feedback Q & A regarding the entire Mediation and Practicum.