

Legal Terms to Understand



Joint Legal Custody

Both parties share the right and responsibility to make decisions relating to the health, education and welfare of the child(ren).



Sole Legal Custody

One party alone may make decisions relating to the health, education and welfare of the child.



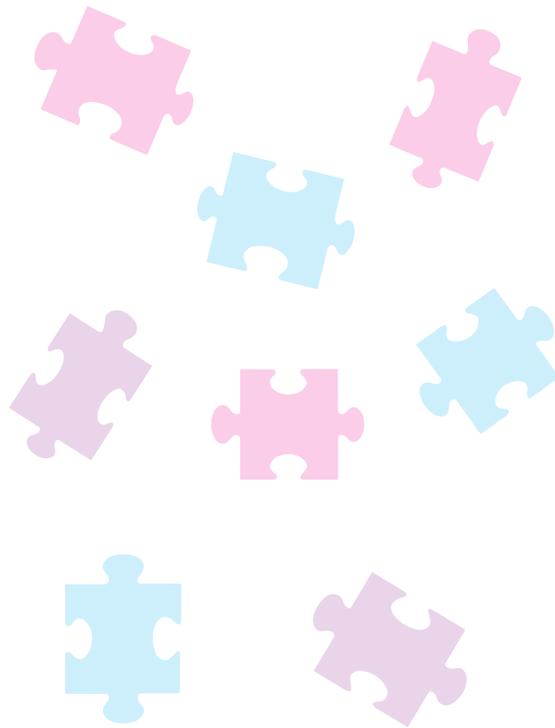
Joint Physical Custody

The child(ren) spend a significant amount of time with each party.



Sole Physical Custody

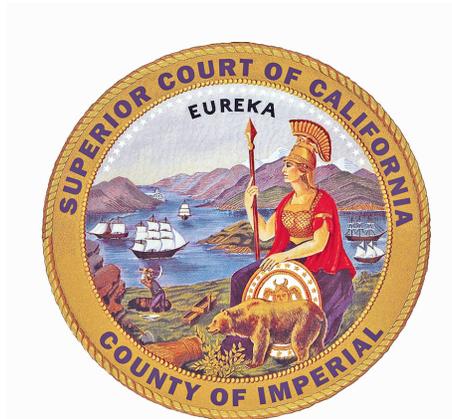
The child(ren) reside primarily with one party and have visitation with the other party.



Family Court Mediation



For more information:
www.courtinfo.ca.gov/selfhelp/



Superior Court of California, County of Imperial
939 Main Street
El Centro, CA 92243
www.imperial.courts.ca.gov

How can I obtain mediation services?

Referral to mediation services requires a court order made by a judge. The order may be made either before or after a court hearing. You can also obtain a mediation appointment by filing local form FL-05 Stipulation for Mediation if you and the other party agree to do so.

Why am I being referred to mediation services?

If you and the other party cannot agree upon the amount of time that your child(ren) will spend with each of you, California law requires you and the other party to participate in mediation concerning the disputed issues. You may request that the judge refer you and the other party to mediation even if California law does not require it if you think that it would help resolve issues in your case.

What happens after the judge refers me to mediation services?

A mediation appointment date and time will be provided to you when the referral is made.

Goals of Mediation

- 1 Help parents create a parenting plan agreement that is in the best interest of the child(ren).
- 2 Help parents develop a parenting plan agreement that protects the child(ren)'s rights to have a relationship with both parents.
- 3 Help parents see ways to manage any anger or resentment between them.

What happens in mediation?

Mediation is problem solving. During your mediation session the Family Court Mediator will listen to both parties. The mediator is there to assist you and the other party look for options that will best meet the needs of your child(ren). You can come up with your own personal agreement on how you will care for your children now that you no longer live together. This agreement is called a "parenting plan agreement".

When developing your parenting plan agreement, it is important to:

- ✓ Allow the other party to have an equal chance to express their concerns and viewpoints.
- ✓ Listen to the other party to explore possible solutions.
- ✓ Focus on the child(ren)'s needs.
- ✓ Recognize that your child(ren) have a right to have a relationship with each parent.



If you reach an agreement the agreement will be put in writing and signed by both parties.

If you **do not** reach an agreement you can expect that a **decision will be made for you** by a judicial officer.

Special Note about Domestic Violence: In cases where there are sworn allegations of domestic violence, the parties will each meet separately with the mediator.

If you choose to meet with the other party for mediation, **you may bring a support person** to your mediation session. The support person is **not permitted** to participate in mediation, but may be present to offer you emotional support.

Please be advised that in accordance with Local Rule 5.3 (d): failure to cancel or reschedule mediation at least 5 court days before the mediation date, and failure to attend mediation, may subject the party to monetary sanctions of up to \$300 for each occurrence.

