

## Quick Reference to Dependency Mediation Process/Procedure

Decision Making Process	Dependency Mediation
<b>Definition</b>	Dependency Mediation is an informal, <b>confidential</b> process in which a neutral 3 <sup>rd</sup> party, with no decision making authority, assists the parties to resolve their concerns; explore how to talk through differences and reach common understandings. Agreements reached are mutual, resolve contested and related issues and focus on safety and best interest of the child and safety of family members.
<b>Goal</b>	To reach a mutually acceptable written resolution of contested issues in which the agreement focuses on the safety and best interest of the child and the safety of family members. Cases are usually referred to try to reach resolution or consensus around the following issues: <b>Visitation, Communication/Relational Issues, Post Adoption Contact, Dismissal – custody/visitation.</b>
<b>How is a case referred?</b>	<ul style="list-style-type: none"> <li>❖ Court referral at the request of a party               <ul style="list-style-type: none"> <li>○ Court and attorneys select mediation at Court AND choose a date they are available</li> <li>○ A referral is then made at Court and sent to Family Court Services and the mediator follows up with the parties by emailing out a mediation invitation and Zoom link</li> <li>○ <b>It is important to include all parties that you want to participate in the session and their most current phone AND email address on the referral form. Referrals without complete contact information for all parties will likely result in a cancelled mediation session.</b></li> </ul> </li> </ul>
<b>Who participates?</b>	<ul style="list-style-type: none"> <li>❖ Generally:               <ul style="list-style-type: none"> <li>○ Parent(s)</li> <li>○ Child Welfare Worker</li> <li>○ Minor’s Attorney</li> <li>○ Minor as appropriate given age and issue</li> </ul> </li> <li>❖ May also include:               <ul style="list-style-type: none"> <li>○ Parent’s attorney in certain circumstances, by order of the court.</li> <li>○ Other family members</li> <li>○ Foster Parents/prospective adoptive parents</li> <li>○ Minor/Family Therapist</li> <li>○ Fost Family Agency/Service Provider(s)</li> <li>○ CASA</li> <li>○ Community Service Agency/Other interested persons</li> </ul> </li> </ul>
<b>Where and when do sessions happen?</b>	<ul style="list-style-type: none"> <li>❖ <b>Sessions take place via Zoom. Parties without internet access can call in.</b></li> <li>❖ Currently sessions are scheduled on Tuesday and Thursday mornings at 9am.</li> </ul>
<b>How long does the process take?</b>	<ul style="list-style-type: none"> <li>❖ Generally one mediation session (1 ½- 2 ½ hours)</li> <li>❖ Additional sessions as required and as time allows</li> </ul>
<b>What are the outcomes?</b>	<ul style="list-style-type: none"> <li>❖ Mediation agreements are reviewed by attorneys prior to next Court date, if not present at mediation. The original agreement is returned to the Court for approval as a Court order as appropriate.</li> <li>❖ If approved by attorneys and approved by the Court, the mediation agreement is then filed with the Court record for each minor involved.</li> <li>❖ If no final agreement reached, a one-page document is returned to attorneys and Court indicating no agreement, or other related event.</li> </ul>
<b>What if there are domestic violence issues and/or restraining orders?</b>	<ul style="list-style-type: none"> <li>❖ <b>Court approved Domestic Violence (DV) protocol is followed:</b> <ul style="list-style-type: none"> <li>○ Once a DV issue is made known, DV protocol is implemented; the mediator will work with the parties to determine if separate sessions are needed and schedule them.</li> </ul> </li> </ul>
<b>Who are the mediators? What are the qualifications?</b>	<ul style="list-style-type: none"> <li>❖ Dependency Mediation Program is a court-connected program, pursuant to <i>Welfare &amp; Institutions Code, §350 (a) (2)</i>; confidentiality governed by <i>Evidence Code, section 1115 et seq</i>; program procedure and mediation process governed by <i>California Rule of Court, 5.518 and Local Court Rules, 5.333 – 5.335</i></li> <li>❖ Legal and /or clinical background, (JD, PhD, MSW, MFCC, etc)</li> <li>❖ Demonstrated experience as a mediator in multi-party, high conflict disputes;</li> <li>❖ Significant background and/or understanding of juvenile court dependency system and child welfare/child protection systems;</li> <li>❖ Rule 5.518, California Rules of Court, governs program practice and court administration.</li> <li>❖ Housed in the Family Court Services Program</li> </ul>
<b>How to I reach the mediation program?</b>	<a href="mailto:dependencymediationreferrals@alameda.courts.ca.gov">dependencymediationreferrals@alameda.courts.ca.gov</a> 510-690-2500