RICH MAHLER
MEDIATION & THERAPY
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FAMILY LAW MEDIATION (page 1 of 2)

Since 2004 I have been working at various times as a Specialist Family Lawyer, Specialist Family Law Mediator, Child-Inclusive Mediator, and Relationship, Family and Co-Parenting Counsellor / Psychotherapist. I am a registered Family Dispute Resolution Practitioner (FDRP) and Nationally Accredited Mediator (AMDRAS).

As a specialist mediator, I only mediate family law disputes.

I can issue Section 60I Certificates and Certificates of Dispute Resolution under the *Family Law Act* (1975) (Cth) as required by the Federal Circuit and Family Court of Australia.

As a family therapist and child consultant, my child-inclusive mediation (**CIM**) services utilise my dual qualifications and experience in law and psychology.

I conduct mediations in person and by Zoom. I also conduct mediations both with and without lawyers. If a party is not legally represented at a mediation and agreement is reached, I prepare a draft Parenting Plan or written Heads of Agreement (for property matters) for that party to then seek legal advice about.

Prior to the mediation each party attends a separate 1-hour pre-mediation assessment / intake with me by phone or (preferably) Zoom. I conduct a risk assessment to determine whether it is appropriate for me to conduct a mediation. I also explain the mediation process. My mediation style and approach, and help the parties prepare for the mediation.

My mediation practice is informed by an understanding of the nuances of power imbalance in relationships and affording safety in the context of domestic and family violence. This can include the use of shuttle mediations, where the parties remain in separate rooms throughout the entire process.

Each party is also entitled to a support person in addition to their lawyer (who remains in a separate room from the main conference room).

I support the parties in determining what the agenda items are and in what order they should be addressed. My preference is to tackle the most difficult issues first in the mediation process, to ensure that they get allocated sufficient time to be explored sufficiently. It also means that there is not a 'pink elephant' in the room not being addressed.

I help clients move away from taking positions as to what they want, and rather explore their underlying interests, needs and concerns. I then adopt a creative, child-focussed, and future-oriented approach.

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I embrace the principles of neutrality, professionalism, and confidentiality. I have worked with hundreds of families over two decades to facilitate the best possible outcomes for those involved.

The potential issues addressed at a mediation include (but are not limited to) the following:

- arrangements for the care of children (such as living arrangements and time spent with parents or other significant caregivers such as grandparents)
- relocation of children
- school enrolment
- children's names
- medical issues relating to children
- passports and overseas travel with children
- interim financial matters
- spousal maintenance
- property settlement
- child support
- implementation of Court orders
- contravention / breaches of Court orders
- changes to Court orders.

The first thing you should do to prepare for mediation is ensure that you are emotionally and mentally prepared for the process. Discuss it with a trusted family member, friend, or professional such as a therapist. Be prepared to make concessions and compromises, as otherwise the mediation is almost guaranteed to fail.

If you want to discuss schooling, it helps to come prepared with information about the relevant school/s (such as fees, curriculum, and extra-curricular activities) to provide the other party with. Similarly, if you want to discuss medical issues such as orthodontics relevant information such as fees and timeframes will be helpful.

For financial matters, it is essential that all parties make full and frank disclosure of all significant assets, liabilities, superannuation entitlements, and financial resources (such as expected inheritances or compensation payouts) in their respective possession or control. For real estate, a real estate appraisal or formal valuation will likely be necessary.

As a family therapist and child consultant, I also offer child-inclusive mediation (**CIM**) services, drawing upon my dual qualifications and experience in both law and psychology.