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MEDIATION SERVICES

I. Orientation: Many families encounter difficulty in making the transition from a married family to a separated/divorced one. Children react in many ways. Parents can find themselves engaged in serious conflict over the children, often to the point of litigation. Dr. Kneier’s mediation style draws heavily on clinical experience with children’s reactions to divorce, and with parental reactions to marital breakdown. During the mediation, a number of things are done to help the parents re-focus on the children, and thus regain their sense of parenting. At the same time, there are ways of helping parents resolve conflicts, achieve their desires for the children, and move on to becoming a **good divorced family**.

II. Types of Issues: The types of issues most commonly mediated are the following:

- Accomplishing a separation: moving out of the house.
- Custody, access, child sharing and management.
- Management of children’s reactions and symptoms.
- Access problems.
- **Parental alienation problems***, where a child refuses access.
- Mobility issues: when one parent proposes to move a significant distance.
- Teenage problems and decisions.

In the **Thoughts & Musings section**, there are essays about children’s reactions to conflicted divorce, including parental alienation.

Since the mediation relies heavily on Dr. Kneier’s clinical experience as a psychologist, and since he does not have commensurate experience in financial or legal matters, Dr. Kneier restricts his mediation to issues that involve the children and family matters. He refers clients to lawyer-mediators for financial/property issues. Occasionally, he will help parents negotiate a temporary, ad-hoc support arrangement or transfer of household items, if this is necessary in order to proceed with the physical separation or child-sharing issues.

III. Results/Outcome: Typically, the mediation is successful and results in a structured regime for the post-divorce sharing of the children, or in a solution to the specific problems discussed. Usually, a **Mediation Report** is issued to the parents

and/or lawyers. This report often forms the text for a legal settlement, or for the amending of an existing settlement.

The entire mediation is always undertaken on a completely "**without prejudice**" basis. This is carefully explained at the beginning of the mediation, and a contract is signed to this effect. **The Mediation Report also is entirely "without prejudice,"** unless and until it is reviewed and formally (with lawyers) endorsed by both parties. The report itself states this, as does the initial contract.

IV. Costs and Duration: The mediation is billed at an hourly rate of \$300. This fee is sometimes shared, sometimes borne by one party. A successful mediation typically takes from 4 to 6 hours. But this varies greatly. Many family problems take time and family experience to solve. Sometimes the mediation spans several months, while various solutions are tried or family transitions take place. On the other hand, if the mediation is going to be unsuccessful, this is usually evident within the first three hours.