



The “FLARe” Program (Family Law Alternative Resolution)

FLARe is a voluntary mediation program that is designed to be less expensive, less stressful, and less time consuming than traditional litigation. The program is staffed by trained family law attorney mediators who will meet with parties to assist them in settling their family law cases amicably and early. The use of this program is voluntary and must be agreed to by both parties.

MEDIATION IS APPROPRIATE AT ANY TIME DURING THE LITIGATION PROCESS

Mediation is useful at any point in litigation and is not binding unless an agreement is reached and an Order is signed by the Judge. Either party may consult another attorney from the mediation panel or other private attorney before any agreements are finalized. Either the mediator or your lawyer can help you finalize orders.

MEDIATION IS CONDUCTED BY A TRAINED NEUTRAL PARTY WHO MEETS WITH THE PARTIES TOGETHER AND:

- May facilitate the settlement of a single issue or an entire case
- Helps parties learn to cooperate
- Allows parties to make informed decisions
- Is private and confidential
- Does not require court appearances

SERVICE OPTIONS AND COST:

There are 3 options for mediation services,

OPTION A: Joint Mediation Session for 90 minutes for \$150.00;

OPTION B: Joint Mediation Orientation for 30 minutes for \$35.00; and

OPTION C: Individual Pre-Mediation Consultation for 30 minutes for \$35.00.

The Court strongly recommends the use of mediation. However, the Court does not endorse the skills of any particular mediator or guarantee the results in any particular case. Results depend on the cooperation of the parties. Both parties are encouraged to enter the program with good faith settlement intentions.

Voluntary mediation with an attorney is not a substitute for mandatory custody mediation with Family Court Services required by current law where custody remains in dispute. However, if a settlement regarding custody is reached the mediation at Family Court Services may not be necessary.

VOLUNTARY MEDIATION IS NOT RECOMMENDED IN CASES INVOLVING DOMESTIC VIOLENCE.

**To schedule an appointment, call the Contra Costa County Bar Association
LAWYER REFERRAL & INFORMATION SERVICE
(925) 825-5700**

The Family Law mediation panel is made up of attorneys with special training in mediation and a commitment to finding an alternative to litigation. Each person on the panel . . .

- has been licensed to practice law for at least five years
- has completed at least 40 hours of MCLE-approved basic training in family law mediation
- has had at least 20 hours of MCLE-approved training in family law issues during the last two years, including at least 6 hours of **advanced** MCLE-approved mediation training each year
- is a Certified Specialist in Family Law or devotes at least 50% of his/her practice to family law
- is a member of the CCCBA's Lawyer Referral & Information Service (LRIS)
- maintains professional liability insurance in an amount of not less than \$100,000.00 for each occurrence, and \$300,000.00 aggregate per year; *and*
- agrees to provide the first 90 minutes of mediation for \$150.00 (option "A" only).

USE OF THE FLARe PROGRAM THROUGH THE CONTRA COSTA COUNTY BAR ASSOCIATION:

Attorney-mediators selected on a rotational basis. Consumers cannot choose.

Option "A"

Joint Mediation Session

- 90-minute session for \$150.00 (Parties generally split cost. \$30.00 goes to LRIS; \$120.00 goes to attorney-mediator. Money collected up-front by LRS. Any services and fees after 90-minute session negotiated directly between attorney-mediator and clients).
- Both parties participate
- Actual mediation session
- Attorney-mediator can write up and file agreement (although 90-minute session probably will not cover that service)

Option "B"

Joint Mediation Orientation

- 30-minute session for \$35.00 (\$35.00 fee covers LRIS administrative expense. Attorney-mediator donates his/her time for 30-minute session. Any fees thereafter negotiated directly between attorney-mediator and clients).
- Joint mediation orientation
- Both parties attend
- Attorney-mediator explains mediation process
- Generally recommended when parties are undecided about mediation
- Parties can opt to hire attorney-mediator to mediate their dispute, but at attorney-mediator's regular hourly rate
- or-
- Parties can opt for Option A

Option "C"

Individual Pre-Mediation Consultation

- 30-minute session for \$35.00 (\$35.00 fee covers LRIS administrative expense. Attorney-mediator donates his/her time for 30-minute session. Any fees thereafter negotiated directly between attorney-mediator and client).
- Mediation support (or pre-mediation) consultation with one party only
- Generally recommended when consumer undecided between opting for mediation or litigation as dispute resolution process
- Client can opt to hire attorney as consulting attorney to mediation
- or -
- Client can opt to hire attorney to represent him/her in litigation