**Family Mediation Program Ten-Year Review**

In March 2008, the North Dakota Court System launched the Family Mediation Program in response to concerns about the detrimental effects of the adversarial court process on long-term family relationships and to reduce the reliance on the adversarial proceedings in divorce and parenting time disputes. The program reduces the stress and expense of court proceedings and reduces the emotional toll of conflict created by conflict between the parties. By learning to negotiate in a less confrontational manner and avoiding lengthy court proceedings, the parties gain an opportunity to create a positive future relationship.

The Family Mediation Program is a statewide program that provides an impartial and efficient forum for resolving disputed parental rights and responsibilities, as well as grandparent visitation matters through mediation. The program offers up to 6 hours of services at no cost to the parties. Through the program, parties are empowered and encouraged to present their concerns to each other and come to a mutual agreement. Since its inception, the program has received over 9,018 case referrals and accepted over 5,574 cases into the program. Reasons cases are not accepted into the program include the parties residing out of state, domestic violence concerns, and case settling prior to the scheduled mediation.

In addition to the current review of program data, the court conducted a multi-year evaluation of the program as it was implemented and during the first three years of the program’s existence to ensure structural integrity and that the Program produced its intended results, Another formal evaluation of the program was conducted at the 5-year anniversary of the program. Most recently, an evaluation of mediation in post-judgment matters was completed in 2015. Evaluation results have consistently shown that the program has had a positive impact on case settlement rates, time to disposition, and litigant satisfaction.

The program encourages mutually agreeable settlements.

* In new cases, the parties fully resolved 50% of parenting time disputes during mediation. They reached a partial resolution in an additional 26% of the cases, for a total positive impact rate of 76% of the cases.
* Taking into account the cases that were fully settled soon after the completion of mediation, the full agreement rate rises from 50% to 80%.
* The total resolution rate continues to be higher than ten of thirteen other parenting time mediation programs evaluated in the United States and Canada.

Settlement rates have remained steady throughout the life of the program.

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The program has led to quicker disposition of cases.

* The 2013 program evaluation concluded that compared to 2008, the length of time between filing and case conclusion has been reduced by an average of 28%.

The program has led to a significant drop in post-decree filings per case.

* In 2018, the rate of cases re-opening for further litigation within a 3-year period following case disposition was 18% compared to a 27% re-opening rate in 2008.
* Parties were able to reach a settlement in seventy-nine percent of cases referred for post-judgment mediation.

Litigants are satisfied with the program.

* Eighty-seven percent of participants reported that they were satisfied with the mediation process.
* There is no statistically significant difference in satisfaction rates based on gender, race, education or income.

Many studies have found that mediation is a better method for optimal family adjustment to divorce and a more positive means of reaching an agreement for divorcing spouses than the traditional adversarial process of litigation. Specifically, mediation results in higher settlement rates, enhanced psychological adjustment of participants, more satisfied participants, reduced re-litigation rates, less post-divorce conflict, and more co-parent cooperation, and higher perceived control of the outcome of mediation by participants (Bailey & Robbins, 2005).