

# **The Kidcentric Approach** *to family mediation*

A kid friendly approach for separating families

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## **The Kidcentric Approach to Family Mediation**

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**Definition - Kidcentric (kid sen trik) Approach: A method of Coaching as an adjunct to Family Mediation such that the children of the family become the focal point of the solutions which arise from the difficulties of family separation.**

### **Vision**

In the book “Beyond Neutrality” by Bernie Mayer, the author states that ADR/Mediators should be able to help their clients more by expanding the services that they offer. These other services may involve other disciplines in trying to redefine dispute resolution in a broader and more inclusive manner. He even becomes as bold as to say that Mediators are not fulfilling all the client’s needs when called in.

Interestingly, Mr Mayer discusses in depth his concept of “Conflict Engagement”. He mentions that many parties need something other than a third party neutral; they need an advocate and/or a coach to help them properly prepare for and deal with an impending conflict.

In his examples, a Mediator often encounters situations where there are certain critical pieces of information that need to be obtained in order to offer the best environment for settlement negotiation. There are various forms of information that the Mediator may seek to assist his process. In these cases a Mediator can volunteer to procure this information as a neutral.

The need for a *Kidcentric Approach* is based, in part, on the assumption that Mr. Mayer is correct. So often parties with children enter into Mediation without full knowledge or notion of all the facts that they need to effectively resolve their separation issues. In the very best of situations the children (and their inherent concerns) are pushed off to the side in the noble, though incorrect, notion that the parents are somehow protecting the children. In the background the children sense the troubles surrounding their world and, when the bomb of separation finally lands, they feel disenfranchised, vulnerable and misunderstood to name but a select few of the emotions experienced.

The *Kidcentric Approach* is a process designed to bring focus and attention, with affection and understanding, to the children and their voices in the separation process. The approach uses coaching techniques learned through recognized Life Coaching training institutes and is focused on coaching children of parents who have files presented for mediation. The approach does not replace the Mediation Process, but rather is designed as an adjunct to that ADR process.

By coaching the children in a safe environment, their true concerns, hopes, fears and affections are uncovered. Using age specific tools and techniques the children are coached on how to express these emotions to each of the parents in such a manner that the adults will keep their focus on their mutual responsibilities and obligations to their

children throughout the mediation process. To help reinforce this goal the Mediator is provided a copy of the Coaching Report so that he or she is well prepared to understand the “Kidcentric” nature in which solutions and agreements will grow.

By doing so it is anticipated that the mediation process will result in a discussion more focused on the clients rights, obligations and responsibilities as parents. This will, in turn, facilitate an agreement that has a better chance for longevity and more concentration on the importance of effective conflict resolution when future interpersonal issues arise. More importantly will be the understanding that the children will have had the opportunity to have their fears addressed and will feel some sense of control in the whirlwind of chaos that has been visited upon their life.

Responsible loving parents know that their children’s need for affection and security is paramount for their mental and physical development. Spousal relationships break down for all kinds of reasons. While hurt and pain between the parents can accompany that event, the children are all too often the casualties of the war that follows.

Using the *Kidcentric Approach* helps change the focus of the parents from their hurt and anger to their mutual love for their children. The *Kidcentric Approach* helps the parents remember that their children are who and what is important.

### **Methodology**

It is suggested that the bringing of the voice of the children to the table during Family Mediation is so overwhelmingly important that it should be used as an adjunct to ***all*** Family Mediation procedures that involve children.

The *Kidcentric Approach* fits into the mediation process as a precursor to the mediation, immediately following the intake meetings.

During intake the Mediator notifies each of the parties that the *Kidcentric Approach* is a part of their process. As such, their file is passed to a Kids Coach who negotiates between the two parents the best time to meet with their children.

The purpose of the Kid’s Coaching sessions is to give the children the opportunity to express their full range of emotions and concerns in a safe environment to a neutral party who will help the children articulate their emotional and physical needs to both of their parents.

By doing so each of the parents will become more clearly aware of their responsibilities and obligations to their children in order to meet these needs. More importantly, it is anticipated that each of the parents will be afforded the opportunity to hear their children’s perspective on the importance of having the other parent in their children’s life. There may, of course, be situations where the children may not articulate a positive perspective of each parent. In such circumstances it will be equally important that the

children be provided with a safe environment where their coach can help them express any negative emotions.

The coaching process may vary depending upon the particular needs of the children; however as a rule of thumb the following are the steps in the Kidcentric Approach to Family Mediation:

- a. following intake by the Mediator the file is passed to the Coach and an appointment is made to meet with the children as quickly as possible. Each child should be met with individually and the initial sessions should take about one hour. These sessions will focus on letting the children express their emotions, issues and concerns surrounding the impending separation.
- b. a second session will be booked with the children, with the focus being on the method for articulation of their concerns. The Coach will provide an environment where the children can develop a plan to express their anxieties and emotions with their parents. By the end of this session the goal will be to bring in each of the parents to their children's safe environment and have them hear what the kids have to say.
- c. a report will be written, with the children's permission, which articulates everything that the children wished to express. A copy of this report will be provided to each of the Parent's and the Mediator.

This entire process should take no longer than three weeks, depending on the number of children and their individual needs for coaching. In total, including the process of writing the report, the total average billable hours should be approximately eight hours for one child and an additional three hours for each further child coached.

While the Coach would, in theory, be working for the Children, in practice he is working for the Parents and the Mediator. As such, the Coaching bill will be included in the overall Mediation bill. In that matter then the Coach is actually "sub-contracted" by the Mediator. The Coach bills the Mediator and the Mediator bills the Parents. In this fashion the Parents receive one bill for their entire mediation/coaching process.

### **Benefits to the Parents**

Using the *Kidcentric Approach* the Parents are able to join forces to protect a mutual interest; their children. By bringing their children's desires to the forefront the parents can ally themselves away from their positional attitudes in order to come up with a separation solution that protects their children's interests by potentially seeing the need to give up some of their own.

Furthermore, exposure to the coaching culture will give the parents the opportunity to overcome further difficulties as they individually embark on difficult lifestyle changes that may involve emotional trauma. Divorce or Life coaching opportunities will be made available to assist them through further transitions.

### **Benefits to the Children**

This approach is of tremendous value to the Children of separation. With clear resonance, their voice is heard and their concerns and fears are acknowledged. Using the *Kidcentric Approach* the Children feel that they have some control over the chaos in their life. They also are afforded the opportunity to have someone with whom they can express their fears that is impartial to the concerns of the Parents. Furthermore, the children develop the ability to express their concerns in a safe and productive manner.

And finally, the children are allowed to come to grips with the reality that their life experience is evolving. They will face the fact that their family is becoming “binuclear” with the knowledge that their parents are aware of their fears and will help them move to this new situation in safety and in love.

Furthermore, as with their parents, exposure to the coaching culture will give them the opportunity to overcome further difficulties as Life coaching opportunities will be made available to assist them through further transitions.

### **Benefits to the Mediator**

This approach helps the Mediator immediately to draw the parties from their positional stance to an interest based approach that creates a more fluid environment for constructive discussion and problem solving. The Coaching report can be an invaluable tool to maintain focus during the mediation session.

By using the *Kidcentric Approach* the children are brought to the table in a very real and concrete way. This leads to a structure that will better satisfy the clients and by doing so provide a better Mediation experience. In the end the Mediator will have clients who are happier with the process and more willing to return to the Mediation table for future issues.

### **Benefits to the Coach**

The impacts of including a coach have been clearly discussed. Furthermore there exists, as a result of the relationships developed, the opportunity for further Coaching opportunities that can have a positive impact on the divorce process for all parties involved. (e.g. Divorce Coaching, Relationship Coaching, Life Coaching, further Kid Coaching).

Of further benefit is the interrelationship with the Mediator in the ADR field. As mentioned by Mr. Mayer, the Dispute Resolution world needs to expand to recognize all the participants within it and the particular skills that are brought to the table. This approach lends further credibility to the skills and the importance of Life Coaches within the ADR world.

## **Implementation**

As this is a new approach to assisting parents passing through the Family Mediation process it is suggested that we start with five case files starting as soon as possible. We will use the five cases as a study.

The Coach will proceed as stated above with the exception that, at the end of the Coaching process, the Parents, the Children and the Mediator are to be given an opportunity to comment on the service provided and make suggestions for improvement. Every aspect of the Coaching service should be open for comment.

During this period I would suggest that a lower fee for Coaching would be appropriate. This would recognize both the study aspect of the approach, while also recognizing that the clients are receiving value for the service provided. To this end I would suggest a fee of \$80 per hour for Coaching services during the study period of five cases.

Following that I would suggest that the rate increase to 50% of the hourly rate charged by the Mediator for his services in that particular Mediation session.

## **Conclusion**

Mediators are beginning to realize that the Mediation process is not the panacea that it was hoped it would be. Other areas of expertise should be called on and recognized as important within the ADR process.

This new approach, called the *Kidcentric Approach*, offers something to Family Mediators that does not commonly exist in the mediation process. It offers the voice of the children. By doing so this gives the Mediator immediate insight into an important common value that Parents share; their devotion and obligation to their children.

Coaches that help people move through life issues have been refining their craft for decades. This relatively new concept, mentioned by Mr Mayer, deserves to be utilized to a greater extent in the ADR world. The abilities of Coaches to help clients of all ages better articulate concerns, to readjust perspectives or to simply deal with life's bumps is an invaluable tool to the ADR specialist.

Joining the two fields of Mediation and Coaching will prove to be an invaluable force in the area of Family Mediation. Better solutions, ease of process and clarity of vision are just a few of the benefits to be achieved by aligning these two specialist fields. The group that does this first will lead the way to a new and better way of helping families, and especially children, move through the divisive life change of Family Separation and Divorce.