

Checklist for Mediation

- Proof of income (*at least three most recent pay stubs or Leave and Earnings Statements (LES), most current W2 or 1099 tax form, or most recent tax return*)
- Child's Social Security Number
- Driver's license
- Address and telephone number of each of your employers
- Information about professional or recreational licenses, certificates, or registrations
- Child's health and dental insurance cards, if available
- Health insurance cost
- The cost of child-care
- The name of your child-care provider
- If you are ordered to pay support for any other children, a copy of the support order
- Support paid for other adults (*for example, a disabled parent or grandparent*)
- A detail of any qualified business expenses, like self-employment tax
- A copy of any custody and visitation orders for the child you're talking about in mediation

Resources

- Division of Child Support Enforcement: www.dss.virginia.gov/family/dcse.html
- Virginia's Judicial System: www.courts.state.va.us
- Mediation Section of Virginia's Judicial System: www.courts.state.va.us/courtadmin/aoc/djs/programs/drs/mediation/home.html
- Virginia State Bar - Virginia Lawyer Referral Service: www.vsb.org/vlrs/index.php/public/vlrs
- Family Law Section of Virginia State Bar: www.vsb.org/site/sections/family
- Virginia Code Sections [20-108.2](#) and [20-60.3](#)



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August 2015



**Mediating
Child
Support:
Things to Know
Before You Go**



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Why mediate child support?

Mediation is a process where a trained mediator helps you talk about your dispute in a private setting. **Mediators do not take sides. Mediators do not make decisions.** Mediators do not force anyone to agree to a solution.

The entire mediation session will be focused on you and your family. The mediator will take the time needed to help you talk about what is important to you. Almost everything you talk about is private. Things like child abuse are not private.

You will take an active role in creating the child support order that will affect you and your child. The mediator will help you and the other parent work out your own solution. The mediator will write an agreement that includes your decisions. Upon court approval, that agreement will become part of your court order.

1. Mediation's main goals are:
 - to help you talk about the care of your family; and
 - to help you develop an enforceable child support order.
2. The mediator can help you and the other parent decide the best way to meet your child's financial needs while keeping in mind everyone's financial needs.
3. In mediation, you and the other parent decide the monthly amount of child support. The Virginia child support guidelines are used as a starting point.



Most courts have a mediation program that provides free mediation to families. Cases are referred to a mediator who is paid by the state.

In court-referred mediation, mediators are legally required to hold an orientation session. This session takes place before mediation. You might attend this session with a group or just with the other parent.

During the orientation session, the mediator will explain mediation to you. The mediator will also see if mediation is right for your case. If both parents want to mediate and it is right for your case, you will be able to mediate.

The orientation session is required, but mediation is not. You do not have to mediate if you do not want to. You can stop mediation at any time. If you mediate, please set aside a couple of hours so you do not feel rushed.

Before Mediation

Before you mediate any child support issues, paternity must be established. Paternity is legal fatherhood. Some ways paternity can be established are:

1. the parents were married on the child's birth date;
2. a man confirms he is the child's father under oath;
3. genetic testing, which can be court ordered; or
4. court order showing an adoption.



The mediator needs information from you to calculate the child support amount using the child support guidelines. Bring as much information from the Checklist for Mediation as possible.

The checklist is on the back of this brochure.

During Mediation

The mediator will go over an *Agreement or Consent to Mediate* form that everyone will sign. The mediator will ask for the information needed to calculate support. **The mediator should calculate the child support amount before you discuss payments.**

The child support guidelines will recommend a monthly child support amount. In mediation, you and the other parent may agree to a higher or lower amount of support, depending on your family's needs, and with the court's approval.

