

ODR – Family Mediation Intake Flow

Explanatory introductory text: this is a REQUEST to mediate case, after it's approved you will start mediation.

1. Please provide the following information to start your request to mediate a case:

- First Name:
- Last Name:
- Date of Birth:

2. Please provide your contact details. The information will be used ONLY by the Court ADR staff and the mediator to communicate with you (it will NOT be shared with the other party)

- E-mail address
 - _____
- Preferred phone number
 - _____
- Alternate phone number
 - _____
- Mailing address:
 - _____

3. Please enter your court case ID [help]:

- _____

4. In this case, are you the

- Petitioner [help]
- Respondent [help]
- Not sure

5. Are you and the other party currently married to each other?

- Yes (go to 6)
- No (go to 7)
- ?

6. What type of case is this? (married partners)

- Divorce (dissolution of marriage, including all/some relevant issues) [help]
 - Date of Marriage [help]
 - _____
 - Date of Separation [help]
 - _____
 - not sure

- Post-Judgment (discuss changes to an existing court decision) [help]
 - **Post-judgment court case ID**

- _____

- Not sure
- Other
 - _____

7. What type of case is this? (non-married partners)

- Legal Separation (dissolution of domestic partnership including all/some relevant issues)
- Parenting issues
- Post-Judgment (discuss changes to an existing court decision)
 - **What is the court case ID of the decision you would like to discuss?**

- _____

- Not sure
- Other
 - _____

8. Are you assisted by a lawyer in this case?

- Yes
 - **Please provide your primary lawyer's contact details**
 - * First name _____
 - * Last name _____
 - * Phone number _____
 - * Email address: _____
 - Mailing address _____

- No
 - **Have you consulted with a lawyer about this case in the past?**
 - Yes
 - No

- Not sure

9. The rules of the court require any party requesting mediation to confirm the following information. By submitting the request to mediate the case, you confirm that you understand and agree to the following:

- To pay my share of the mediation fee in the amount of \$50 per party (\$100 per couple) directly to the mediator immediately upon assignment by the program and receipt of the mediator's name and contact information.
- The mediation will not begin until the mediator receives payment [help]. This payment is in exchange for a single session not to exceed ninety (90) minutes. Only one session will qualify for this reduced hourly rate, and there is no guarantee that all issues will be addressed at the first session. The other party and I may arrange and pay for additional sessions at the mediator's regular rate.

The first session must be held within 45 days of the mediator receiving the payment or the payment shall be forfeited.

- It is the parties' responsibility to seek a continuance (postponement) of any pending court dates and/or court orders, if needed.
- The mediation offered through this program is not meant as a substitute for mandatory mediation offered by Family Court Services as required by law in matters where child custody and related issues are involved [help]. I understand that neither the San Mateo County Superior Court nor the Bar Association promises that we will reach an agreement during mediation and that the mediator cannot represent either party.
- The information I provided in this form up to this point, EXCEPT my contact information, will be shared with the other party when he/she receives the request to mediate.
- Submitting the request to mediation does not guarantee that the case will be mediated; In order for the case to go to mediation, the other party has to agree to mediate, and the Court ADR Staff needs to approve that the case is suitable for mediation.

Once you submit the request to mediate the case, you will be asked to provide additional information about the issues you would like to mediate. This information will NOT be shared with the other party and will be used by the Court ADR staff and the Mediator in preparing for mediation.

- Download a copy of your request for your records: button
 - Downloadable PDF

10. Would you like to submit the request to mediate the case at this time

- Yes, submit request to mediation: Button
- No, do not submit request to mediation: Button
- - Receive submission confirmation message + reference number

11. Are you sure you do NOT want to submit the request to mediate the case? The information you provided will not be saved. You may come back later to submit a new request. (If "no" to 10)

- I do not want to submit the request to mediation
- I want to continue submitting the request to mediation (back to 10)

In order to process your request to mediate the case, it is important to understand the status of your relationship with the other party and what you would like to settle.

The information you provide in this section will be used to determine whether the case is suitable for mediation; it will NOT be shared with the other party.

Please note:

- The court is required to collect this information regardless of whether you want to discuss in mediation all the issues in question.
- Before proceeding, please make sure you have at your disposal all the necessary financial information [help].

12. Are you and other party currently living in the same home?

- Yes
- No

13. Do you have children?

- Yes
 - Name _____; Date of Birth _____
 - Name _____; Date of Birth _____
 - +
- No

14. Where do the children live most of the time? (appears only if “yes” to 13)

- With both of us in the home (appear only if “yes” to 12)
- The children do not live with us
 - Where do the children currently live?
 - _____
- With me (appear only if “no” to 12)
- With the other party (appear only if “no” to 12)
- Equal time with both (appear only if “no” to 12)
- Not Sure

Custody/Visitation (Only if “yes” to 13)

15. Would you like to discuss child custody and visitation at mediation? [help]

- Yes
- No
- Not sure

16. Is there a current court order regarding custody and visitation? [help]

- Yes, and I am satisfied with it
- Yes, but I want to reconsider it
- No
- Not sure

17. Is there any current arrangement or schedule (outside a court order) with the other party about child custody and visitation?

- Yes, and I am satisfied with it
- Yes, but I want to reconsider it
- No
- Not sure

18. Is there anything else about custody and visitation you would like the Court ADR staff or mediator to know at this time? (You will have an opportunity to discuss these issues in depth during the mediation.)

a. _____ (max 200 words)

Child Support (only if “yes” to 13)

19. Would you like to discuss child support at mediation? [help]

- Yes
- No
- Not sure

20. Are you asking for child support? [help]

- Yes
- No
- Not sure

21. Is there any current court order regarding child support? [help]

- Yes, and I am satisfied with it
- Yes, but I want to reconsider it
- No
- Not sure

22. Do you have any current arrangement (outside a court order) with the other party about child support?

- Yes, and I am satisfied with it
- Yes, but I want to reconsider it
- No
- Not sure

23. Is there anything else about child support you would like the Court ADR staff or mediator to know at this time? (You will have an opportunity to discuss these issues in depth during the mediation.)

- _____ (max 200 words)

Spousal Support

24. Would you like to discuss spousal support at mediation? [help]

- Yes
- No
- Not sure

25. Are you asking for spousal support? [help]

- Yes
- No
- Not sure

26. Is there any current court order regarding spousal support? [help]

- Yes, and I am satisfied with it
- Yes, but I want to reconsider it
- No
- Not sure

27. Do you have any current arrangement (outside a court order) with the other party about spousal support?

- Yes, and I am satisfied with it
- Yes, but I want to reconsider it
- No
- Not sure

28. Is there anything else about spousal support you would like the Court ADR staff or mediator to know at this time? (You will have an opportunity to discuss these issues in depth during the mediation.)

- _____ (max 200 words)

Financial Information (only if “yes” to 19 and/or 24)

29. Because you would like to discuss child and/or spousal support at mediation, you will have to complete form FL-150 (“Income and Expense Declaration” [link]) before a mediator begins working with you. This form collects financial information from the two parties.

- I already filed form FL-150
- I will file form FL-150 before the mediation begins
- Not sure

30. Are you currently employed?

- Yes
 - What is your average monthly gross income (before taxes): _____
 - Who is your main employer? _____
 - When did you start working with your main employer? _____
- No

31. Do you have other sources of income

- Yes
 - Please provide additional details (what is the source of income, what is the monthly amount (before taxes), etc.)
 - _____
- No
- Not sure

32. Is there anything else about your financial situation that you would like the Court ADR staff or mediator to know at this time? (You will have an opportunity to discuss these issues in depth during the mediation.)

- _____ (max 200 words)

Home:

33. Do you own a home? [help]

- Yes
- No
- Not sure

Questions 34-37 to appear only if “yes” or “not sure” to 33

34. Please provide information about your home:

- What is the fair market value of your home [help]:
 - _____
 - Not sure
- Do you know how much is owed on the home (e.g. mortgage) [help]:
 - _____
 - Not sure
- Who is currently living in the home?
 - I live in the home
 - The other party lives in the home
 - Both of us live in the home

- Neither of us lives in the home
- Not sure

35. Have you and the other party made any decision about the home?

- Yes
 - Please provide details_____
- No
- Not sure

36. Would you like to discuss ownership over the home at mediation?

[help]

- Yes
- No
- Not sure

37. Is there anything else about your home you would like the Court ADR staff or mediator to know at this time? (You will have an opportunity to discuss these issues in depth during the mediation.)

- _____ (max 200 words)

Other Real Properties:

38. Do you own real property other than your home? [help]

- Yes
 - Please list the other real properties that you own [help]
- No
- Not sure

39. Have you and the other party made any decision about other real properties? (if “yes” to 38)

- Yes
 - Please provide details_____
- No
- Not sure

40. Would you like to discuss other real properties in mediation? (if “yes” to 38)

- Yes
- No
- Not sure

41. Is there anything else about real properties you would like the Court ADR staff or mediator to know at this time? (You will have an opportunity to discuss these issues in depth during the mediation.)

- _____ (max 200 words)

Retirement accounts? [help, e.g. 401K, 403B, pension]

42. Do you have retirement account/s? [help]

- Yes
- No
- Not sure

43. Have you and the other party made any decision about retirement account/s? (only if “yes” to 42)

- Yes
 - Please provide details _____
- No
- Not sure

44. Would you like to discuss retirement account/s at mediation?

- Yes
- No
- Not sure

45. Is there anything else about retirement accounts you would like the Court ADR staff or mediator to know at this time? (You will have an opportunity to discuss these issues in depth during the mediation.)

- _____ (max 200 words)

Investment/stock accounts: [help]

46. Do you have investment/stock account/s? [help]

- Yes
- No
- Not sure

47. Have you and the other party made any decision about investment/stock account/s? (only if “yes” to 46)

- Yes
 - Please provide details _____
- No
- Not sure

48. Would you like to discuss investment/stock account/s in mediation?

- Yes
- No
- Not sure

49. Is there anything else about investment/stock accounts you would like the Court ADR staff or mediator to know at this time? (You will have an opportunity to discuss these issues in depth during the mediation.)

- _____ (max 200 words)

Debt/s [help]

50. Do you have any outstanding debt/s? [help]

- Yes
- No
- Not sure

51. What type of debt/s do you have? (check all that apply)

- Credit card -- Amount owed: _____
- Medical bills -- Amount owed: _____
- Tax -- Amount owed: _____
- Other (_____)-- _____
- +

52. Have you and the other party made any decision about outstanding debt/s? (only if “yes” to 50)

- Yes
 - Please provide details _____
- No
- Not sure

53. Would you like to discuss debt/s at mediation?

- Yes
- No
- Not sure

54. Is there anything else about investment/stock accounts you would like the Court ADR staff or mediator to know at this time? (You will have an opportunity to discuss these issues in depth during the mediation.)

- _____ (max 200 words)

Other property [help]:

55. Do you own any of the following other properties? (check all that apply)

- Business
- Land
- Collectibles/Antiques/Art/Jewelry
- Vehicles
- Household furniture & furnishings

- Other (_____)
- +

Reimbursements [help]:

56. Are you asking for any reimbursement from the other party for expenses you have paid since you have separated? [help: for example: if you paid for utilities even though the other party lives in the home]

- Yes
 - Please provide details _____
- No
- Not sure

Next Steps

If the other party agrees to mediate, the court ADR staff will contact you and the other party SEPARATELY to continue the process with a 10-20 minutes phone conversation.

57. Please provide three possible times (M-F, 8-5PM) during which the Court ADR staff can reach you by phone in the next few weeks:

- M---F / hour
- M---F / hour
- M---F / hour

58. Before submitting this form, is there anything else you would like the Court ADR staff or mediator to know at this time? (You will have an opportunity to discuss all the issues of concern in depth during the mediation.)

_____ (max 200 words)

- Download a copy of your information form for your records: button

- Downloadable PDF

59. Would you like to submit this information to the Court ADR staff and the mediator?

- Yes, submit information form: Button
 - Submission confirmation message + reference number
- No, do NOT submit the information form at this time: Button

60. Are you sure you do NOT want to submit the information to the Court ADR staff and the mediator? The information you provided will not be saved. You may come back later to submit a new information form. (If “no” to 59)

- I do NOT want to submit the information form
- I want to continue submitting the information form (back to 59)