

INFORMATION ON CHILDREN'S FIRST

Missouri Statute, Section 452.372 provides: "When a person files a petition for dissolution of marriage or legal separation and the custody or visitation of a minor child is involved, the court shall order all parties to the action to attend educational sessions pursuant to section 452.605.

This Court requires attendance at the Children First program. The program is offered by the Burrell Center, at various locations including Springfield and Branson.

All Petitioners shall attend the program within the first 60 days following filing of a case in which minor children are involved. All respondents shall attend within 60 days after being served with petition. No Judgment of Dissolution will be entered until this process is completed.

The Parties shall arrange appointments through Burrell Center and make arrangements for payment. If a party desires to attend the program in Springfield, he/she shall call 269-7275; if Branson, 334-7575. The parties shall attend separate sessions since arguing between the parties is detrimental to the educational process.

Parties who have been granted permission to file "In Forma Pauperis" or who have filed through Legal Aid may apply to the Burrell Center for waiver of the fee. These parties will need to furnish the Burrell Center with proof of their filing status or acceptance of Legal Aid.

The Judge feels strongly that this is a very important program to promote cooperation between the parents of children involved in divorce. Dissolution of the marriage is very difficult for children in the best of circumstances. When the parents engage in behavior which involves the children in the parents squabbles, the children are very much at risk. Children First is a program to educate well-meaning but sometimes over wrought parents regarding the damage that can be done to children in these troubled times.

INFORMATION ON MEDIATION

When a case is filed in Family court, it often represents a time of change for children and families. To help you make decisions about the issues involved in your case, you are encouraged to consider the use of mediation. A mediator can help families reach mutual decisions about children and property without the need for contested litigation. Individuals who mediate their case may find that they experience a greater degree of satisfaction with decisions jointly made in less adversarial environment than those made in a courtroom setting.

Mediation is a process in which an impartial third person called a mediator assists the parties in reaching an agreement. A mediator facilitates communication between the parties so that they can reach an agreement on the division of property, maintenance of the parties, and issues concerning the care, custody, and support of their children. The mediation process is confidential. Mediation is not a substitute for legal representation and the mediator you choose will not render legal advice to either party. Each mediator establishes his or her own fee and as a result you should contact the mediator you choose for fee information. If mediation is successful, the mediator will prepare a memorandum of the agreement for the attorneys involved in your case to use in preparing documents to submit for the courts consideration.

Mediation has proven to be quicker, less expensive, and less traumatic than traditional courtroom litigation. It affords the parties in Family Court matters the opportunity to resolve their disputes in a manner they believe to be in the best interests of themselves and their family. You are encouraged to discuss the option of mediation with your attorney. Mediation may be ordered in your case if the court deems mediation to be appropriate or if you request the court to appoint a mediator.

Written and oral communications, negotiations and statements made in the course of mediation will be treated as privileged settlement discussion and are not admissible in court by either party.