Wilmette Life

Mediation is cost effective alternative to divorce litigation

BY JACKIE PILOSSOPH | Contributor May 30, 2013

"Mediation is about finding a neutral ground as opposed to going to court and expecting your best case scenario, and then being disappointed or even shocked by a court decision," said Ellen Feldman | JACKIIE PILOSSOPH~for Sun-Times Media

Ellen Barron Feldman

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When Ellen Barron Feldman decided she wanted to return to the work force after being a stay at home mom for several years, a friend told her she should volunteer somewhere that was meaningful to her, and that it would lead her to a job she loved.

Feldman, a former attorney, who practiced commercial litigation for 15 years prior to having kids took her friend's advice and began volunteering at The Lilac Tree, an Evanston-based non-profit organization that provides education and support to women in the divorce process. That was the catalyst to the start of her career as a divorce mediator.

"This is such a great fit for my personality," said Feldman, who completed her mediation training at DePaul University, and who has been a divorce mediator in her Wilmette, Chicago, Libertyville and Rolling Meadows offices for six years. "Every time I meet with a couple, I feel like I am helping them be better parents for their kids."

Feldman, who has lived in Wilmette for 28 years with her husband, Joel and their two children provides divorce and post-decree mediation, collaborative law services, and co-mediation with another mediator, Brian James.

Typically, the mediation process consists of 4-8 sessions, where a couple who has decided to get divorced spends between 1 ½ to 2 hours in each session aiming to reach a parenting plan, to mediate finances, and to make financial decisions.

After extensively listening to the clients, Feldman makes recommendations on several issues and sets parameters for spousal support and child support based on current laws. She does not give legal advice, even though she is an attorney.

"Mediation is about finding a neutral ground as opposed to going to court and expecting your best case scenario, and then being disappointed or even shocked by a court decision," said Feldman, who is also a volunteer mediator at Lake County family court. "I'm neutral in the process. I'm not representing either parent."

Feldman often co-mediates with Brian James. She said the process is highly effective because there is both a male and female in the room, which allows both spouses to feel heard.

"Brian and I are bouncing ideas of each other in a respectful way, and we are letting them know that there is more than one way to look at an issue," she said.

"Our different backgrounds compliment each other," said James, who is a former Lake County probation officer for domestic violence offenders and their families. "She's an attorney, I'm not. She has daughters, I have sons."

James said when people get divorced, they usually don't have good communication skills, and that he and Feldman try to help the couple by demonstrating effective verbal interaction.

Leslie Ramyk of Chicago found out about Feldman at a Lilac Tree event, and with her now ex-husband became a client.

"We have 5-year-old twins and we are both madly in love with them, so the last thing we wanted to do was to harm them," said Ramyk. "The process helped us make really good decisions on behalf of our children."

Ramyk said open conversation helped them to sort through their issues, but that both Feldman and James gave them lots of ideas.

"In a sense, they were divorce consultants," she said. "Ellen never took my side and I say that as the best possible thing. Consistently, it was all about equity and fairness."

Feldman said she and James are the only co-mediators she knows of who charge the same rates for co-mediation as mediation that uses one mediator. Their rates are $200 per hour.

"They knew when to listen and when to step in," said Ramyk. "We weren't there to rehash anything, we were there to find solutions and we did."