



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

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SEPARATE MEDIATION AND SUPPORT PERSON POLICY

California Family Code 3181 requires that when there has been a history of domestic violence between the parties and at the request of the party protected by a restraining order, the parties shall meet with the mediator separately. Local policy extends the right to separate mediation to any party who alleges and/or declares domestic violence whether or not there is a restraining order in effect.

California Family Code 6303 provides that when there is an allegation of domestic violence the alleged victim has the right to request separate mediation and to have a support person present. The presence of the support person is limited to providing moral and emotional support. The support person is asked to sign a written statement accepting that he/she "shall be bound by the confidentiality of the mediation". In addition, the support person has acknowledged that he/she will not speak or offer any comment to the mediator or advice to the parent. If a support person attempts in any way to influence the mediation, the mediator has the right to exclude them from the session.