



## **SUMMARY ABOUT ANSWERS TO QUESTIONNAIRE FROM RESPONDENTS IN LATVIA ABOUT TRAINING NEEDS AND PRACTICE EXPERIENCE FOR LAWYERS AND MEDIATORS IN CROSS BORDER FAMILY CASES**

Turība University sent the questionnaire to approximately 100 advocates and all 49 certified mediators. 41 answer was received: 13 advocates (31,7% from all respondents), 20 mediators (48,8% from all respondents) and 8 persons who are at the same time advocate and mediator (19,5% from all respondents).

### **Questions for mediators**

1. **Question No. 1** "What are your needs in further mediation trainings? Please write 3 topics in which you want to develop your further expertise in the field of mediation"

**Summary about given answers:** The answers show active interest in mediation and willingness to enlarge knowledge and skills in mediation. Latvian practitioners are open to learn experiences of other countries. Wide spectrum of interest proves that advocates and mediators are willing to learn everything about mediation, starting from repetition of methods and techniques, up to psychological aspects in one type of mediation. Special interest is in psychology, mediation for larger groups, mediation in administrative cases (also in family cases), cross-border family mediation, online mediation, emotions in mediation and mediation in family violence cases.

Common themes suggested were:

- About psychology in mediation (4 answers)
- About lying. Why people lie in mediation, denying truth.
- How to deal with aggressive advocate in mediation.
- Group conflicts in mediation. (3 answers)
- Mediation in administrative cases with public sector involved (ministries, municipal institutions). (2 answers)
- Cross border family mediation (4 answers).
- Remote (online) mediation. Confidentiality aspects. (6 answers).
- Emotions in mediation. Emotional intelligence (3 answers)
- Rights of the child in cross border cases.
- Family psychology.
- Mediation in cases with parties in personal crisis situations.
- Mediation in family violence cases. (4 answers)
- Mediation methods and creative techniques in certain phases of mediation (3 answers)
- Legal aspects of mediation.
- Domicile / Place of residence of the child in cross border family cases.
- Impact of cross cultural aspects on mediation.

- The role of mediator to clarify the best interests of the child.
- Overcoming resistance of the parties in mediation.
- Drafting techniques of agreement in the end of mediation.
- Negotiation skills
- Best practices in mediation.
- Analysis of conflict.
- Recognition of conflict.
- Manipulations in mediation.
- Emotional intelligence.
- Ethical dilemmas in mediation.
- Mediation in other countries.
- Pre-mediation stage. Preparation of clients before mediation.

2. **Question No. 2** “Have you ever mediated a dispute with participation of lawyers?”

- Yes 15 (53,6%)
- No 13 (46,4%)

**Summary:** Almost equal number of respondents have answered yes and no. This proves that activity of lawyers in mediation is significant and their presence shall be taken into consideration.

3. **Question No. 3** “If Yes, what were the main benefits and challenges of such interaction?”

As the main benefits of mediation with participation of the lawyers were listed:

- Clients were legally informed (2 answers)
- Both parties better understood legal consequences of the process
- Legally easier to draft agreement in the end of mediation with a help of advocate
- Advocates notice legal aspects of conflict and help to include them in the final agreement
- Explains to the client possibility or impossibility of legal solutions. (2 answers)
- Parties feel fully supported and immediate legal opinion is available any time. (2 answers)
- Mutually acceptable solution can be formulated legally immediately.
- Advocate adds one more opinion about the case and makes the mediation process more objective and realistic.
- Advocate gained positive experience that mediation can really work and help to clients.
- Even if advocates are not directly and personally present in mediation process, they support in a phone conversation or interim consultations with clients necessity to continue amicable mediation process and encourages to continue negotiations.

As the main challenges of such interaction were listed:

- The advocate made mediation process into negotiations and aggravated relationship
- Advocates are trained in adversarial process, and therefore he just can't switch to cooperative mood and mutually beneficial process. (2 answers)
- Difficult to communicate with advocate, because advocates overly protects their clients

- Advocates do not understand mediation process, so advocates must also be informed in the beginning of mediation what awaits in the process
- Advocates try to overtake initiative in mediation. (3 answers)
- Advocates encourage their clients to find agreement based on law, not true interests
- Advocate was rude, offensive to the opposing party blaming for previous activities and wrongdoings.
- Advocate too much affects opinion and behavior of the client. (2 answers)
- The client too much relies on opinion of the advocate and does not adopt decision on his/her own.
- Presence of the advocate causes disbalance in mediation, if other party is not represented by the advocate.
- Advocates support formal, artificial mediation, but in fact do not allow the client to freely express his/her opinion in the process.
- Advocate behaves in mediation just like in court.
- Even if advocates are not directly and personally present in mediation process, they discourage clients and advices to terminate mediation process.

**Summary:** Advocates can equally help and ruin mediation process. If activity of advocate is moderate and positive, the advocate can help with legal advice and allow the client to reach amicable and mutually beneficial solution. If the advocate is aggressive and negative, mediation turns into negotiations or even trial-look-alike battle where mediation is terminated and the parties are forced to continue litigation.

4. **Question No. 4** “What are the main differences of the role of the lawyer in mediation to compare with litigation?”

- A lawyer in mediation should facilitate the possibility of reaching an agreement, enabling the client to express himself. In litigation, a lawyer should focus solely on the rules of law and think tactically about winning one party - his client.
- In mediation, the lawyer's role is to explain to the client the legal consequences of his or her choices and decisions, thereby ensuring that the client independently takes an informed decision on how to resolve the conflict with the other party. In court, defending the client's positions through legal reasoning, including the right to take decisions instead of the client as a client's representative. (4 answers)
- Advocate must be supportive and provide assistance only in legal matters.
- In court the lawyer makes every effort to defend the client's interests, while in mediation, the lawyer's role is to be present, but not a controlling process, and the lawyer should help the client make a decision that is also good for the other party. (2 answers)
- Advocate always shall act in the best interests of the client. (2 answers)
- Mediation uses a collaborative strategy to deal with the situation, while in court there is adversarial proceeding. (3 answers)
- In mediation, the main driver in dealing with his or her issues is the client himself, who is entitled to act independently and take decisions. Of course, not excluding consultation with a lawyer. In court, a lawyer representing his client on the basis of his or her authorization has a wider right and the conduct depends solely on his professionalism.

- In mediation, the lawyer motivates and supports the parties to reach a solution because the parties are key. In litigation, a lawyer would use his legal skills and knowledge to represent his or her party's interests. (2 answers)
- In mediation lawyer concentrates on win-win strategy, in litigation – on win-lose.
- In mediation lawyer minds/respects psychological aspects of the client.
- In mediation a lawyer is more an observer, in court – pro-active defender of the client.
- The main difference is in task of each process – to find an agreement or to win a legal battle.
- In court a lawyer must win a case whatever it takes.
- In mediation a lawyer may not affect opinion of the client.
- In court a lawyer is active, in mediation – passive.
- In mediation an advocate has a secondary role, like a supporter. In court an advocate is active.

**Summary:** Most of respondents were to the opinion that advocate shall be more supportive and even passive in mediation, letting the client to find solution on his/her own. However in court the advocate shall use all legal tools to win a case combating opponent.

5. **Question No. 5** “What knowledge and skills in your opinion lack mediators while they are coordinating mediation, which involves lawyers?”

- Mediators don't understand how to treat lawyers. Lawyers scares with their knowledge of jurisprudence and their trickery and aggression. The mediator does not understand whether to broadcast a lawyer at all, or to allow a lawyer to be present, but under certain conditions.
- Mediators are afraid to allow a lawyer in mediation, wishing to maintain control over process.
- If mediator is not convinced about his/her professionalism, there can be doubts about possibility of lawyer in mediation process.
- Mediators have no understanding of the impact of the lawyer's presence on the client, the emotion associated with that presence. Mediators don't know how to set the attorney's limits in mediation, how to avoid a situation where a lawyer leads a client's choice.
- Mediators have all the knowledge and skills for mediation processes with lawyers.
- Mediators don't have sufficient number of mediation cases with lawyers involved. Therefore there is insufficient experience. (2 answers)
- Mediators don't have sufficient legal knowledge and advocates demonstrate their supremacy of legal knowledge. (5 answers)
- Mediators don't know how to transform advocates from competing to cooperating mood.
- It's hard for mediators to oppose aggression of advocates
- Mediators shall have skills to convince the advocate that interests of the client can be satisfied also in out-of-court order.
- Mediators must know how to communicate with advocate in equal level.
- Mediators shall have ability to organize and manage the process in such a way that the parties make their own decisions, but the lawyers will have more insight into their legal aspects and applicability.
- Mediators shall increase group mediation skills.
- Mediators shall know how to keep borders, for not to allow lawyers to control mediation process. (2 answers)

- Mediators shall learn how to use advocate as a useful resource in mediation.
- Mediators must have resistance against aggression of advocates.
- Mediators shall develop their skills in formulation of various agreement offers.

**Summary:** Most of respondents encourage mediators to allow presence of advocates and to use effectively knowledge of advocates in effective way, so the advocate could feel useful as a legal advisor, and the client would propose possible solutions of the case.

6 **Question No. 6** “What knowledge and skills in your opinion lawyers lack while they are participating in mediation?”

- Lawyers often don't understand that mediation is not a purely legal process, but instead it is important to give clients an opportunity to understand the deepest causes of the situation, to discuss attitudes to events and sensations issues.
- Lawyers rush too fast in mediation and disrespect a slower, more subdued process, which is crucial for to reach a possible solution in gradual and healthy way.
- Listening skills.
- Lawyers have no understanding of the nature and structure of mediation. (3 answers)
- Lawyers don't understand a role of mediation. (3 answers)
- Aim of mediation. (2 answers)
- Lawyers understand a mediator as a representative of the opponent.
- The majority of lawyers certainly have difficulty not managing the ongoing process and not trying to influence client choices.
- Experience in mediation.
- Too narrow a view of the situation, noticing only conflict and focusing just on legislation.
- On the mediation process, psychology and methods applied.
- Lawyers often have no idea of a collaborative strategy that is applied to mediation, as well as knowledge of conflicts, their escalation and customers' true interests and needs.
- Lawyers don't know how to treat respect and sensitivity to the opposite side, how to fortify the other side with words without “abandoning” and “not surrendering” their client.
- Communication skills.
- Understanding that cooperation, not competition skills are necessary in mediation.
- Advocates use mediation as an instrument to defend the client, which is wrong.
- Ability to understand true interests of the client and the opponent.
- Lawyers don't have respect to mediator.
- Benefits of mediation.
- Advocates treat mediators as their rivals. Professional cooperation would be very necessary.
- Tolerance against opponent.
- Lawyers in the mediation lack the skills to deal with conflicts in mutually beneficial way.

**Summary:** Most of the answers show that lawyers don't have sufficient understanding about mediation, its structure and aim. Lawyers continue competing strategy and hardly switch to cooperative mood.

7 **Question No. 7** “Do you agree with a statement, that mediation should involve only parties to a dispute and participation of lawyers often makes mediation process more complicated?”

Yes – 16 answers (57,1%)

No – 12 answers (42.9%)

Little difference between positive and negative answers possibly prove that harmful impact of lawyers to mediation process exist, but it is not too grave.

Argumentation of answers to question No. 7:

- If lawyer is able to support the client in mediation, then lawyer has to participate. But if the lawyer's goal is to aggressively disrupt the process, then there's no matter from the lawyer. Unfortunately, many lawyers say one, namely that they encourage mediation but actually act excessively aggressively. And there are no mechanisms to understand it beforehand and fix it. In fact, the reputation of each lawyer is previously known and predictable what the lawyer's behavior in mediation.
- A lawyer who understands the nature of the mediation process, can provide substantial support and act as a “reality agent.”
- Experience shows the inability of lawyers to be neutral during the process. Willingness to intervene and suggest or point out in a wrong moment. (2 answers)
- The presence of lawyer as a third party diverts the parties from substance and influences the choice of party, including the expression of emotion. The other party is likely to be less open in the presence of a lawyer, particularly when it comes to family affairs or other personal cases.
- A lawyer can help the party understand individual legal cases. But then surely the lawyer must also have the other side to have equal opportunities for both sides.
- The mediator must see a situation of disagreement and, in fact, agree with all parties, including lawyers, who should be better involved in the mediation process; who are the actual decision-makers and advisers, and that the involvement of these people will indeed help to achieve the best results in the mediation negotiations in order to approach the mutually acceptable conclusion of the agreement.
- The mediation process is aimed at opening up at all levels in order to reach the best suitable solution for each situation at the moment. The presence of a lawyer could put a brake on openness, because their working style is strategic and focused on a concrete outcome that often prevents both parties from seeking the best option.
- Often, a lawyer can become a catalyst in the process if he understands the interests and real needs of his client and of the other party and is able to give them an adequate legal solution.
- Lawyers, if already involved, can make a significant contribution to the development of creative and, at the same time, legally correct solutions.
- If parties want their advocates to be present, let them be present.
- If advocates are present, clients are less active and don't undertake responsibility, and rely just on legal opinion of advocates.
- The less persons in mediation, the easier mediation.
- A lawyer always regards any cooperation in mediation as a try to defend client's interest with the aim of obtaining more information about other party and win the case.

- Lawyer's job is to defend his client. A lawyer builds a strategy for winning a client without thinking about the other side. The lawyer directly or indirectly shifts his client to a fight, not to an open, honest collaboration. External and apparent collaboration support may also be used manipulatively and in any case in the interest of your client.
- At the initial stage of mediation, the parties should be allowed to find themselves willing to resolve the situation (this does not deprive the parties of the right to consult the lawyer as a trusted person, while respecting the confidentiality of the proceedings). (2 answers)
- If mediator successfully explain to the lawyer the purpose, course, rights and duties of the mediation, and the lawyer accepts and observes them, the complications should not arise.
- Ideally, a lawyer should only be invited to the fourth or fifth phase of mediation, to evaluate a solution from a legal point of view.
- The lawyer's professional challenge is to win the process, so in my experience the Advocate has not been directed towards cooperation.
- The lawyer's involvement is useful in the off-site. The parties better participate in the mediation without lawyers, because in that way they express themselves more honestly, more openly.
- The narrative of the parties without the presence of lawyers could differ from what each has told his lawyer about conflict and his own conduct, responsibility.
- Mediators have additional work and worries when lawyers are present.

**Summary:** Respondents see risks and opportunities of presence of advocates in mediation. Lawyer who is informed and experienced in mediation can have positive impact on mediation. Lawyer, who is too aggressive can ruin mediation and return clients back to court. Also the clients are more open and honest without presence of lawyers.

#### 8. Question No. 8 “What are the most difficult challenges in cross-border family mediations?”

- Language barrier / differences (necessity in translation of conversation, translation of written documents, not precise terminology, lack of nuanced expression) (9 answers)
- Fear that the lawsuit could take place in another country, which is more expensive.
- Online mediation, where nonverbal communication is not readable.
- Culture / national differences, customs, prejudices, discrimination, roles of women/men (5 answers)
- Mentality differences (3 answers)
- Differences in expression of emotions
- Parties with psychological difficulties – about parenting, about previous emotional sufferings
- Legal difficulties (2 answers)
- Legal differences between countries
- Fears from one party
- Financial power differences
- Parents believe that if they don't live together with a child they automatically becomes a bad parent. To suppress this feeling, a fight strategy is chosen which, by its nature, harms the child, because if the parents are able to cooperate, the child is more likely to accept any option agreed by the parents.
- Egoistic parties as parents
- Bad communication between parties

- Rare, not regular mediation sessions. Necessity in less effective remote mediation (2 answers)
- Risk of breach of confidentiality in remote mediation
- Remote communication between parent and a child (2 answers)
- Lack of time
- Doubts about neutrality of mediator, if one party is together with mediator, but the other party participating remotely

**Summary:** The main difficulties are related to language barrier, followed by cultural differences. Mediation process is still possible, but the mediator shall mind these differences at all times leading mediation sessions.

### Questions for lawyers

9. **Question No. 9** “What are your needs in further mediation / negotiation trainings? Please write 3 topics, in which you want to develop your further expertise in the field of mediation / negotiation” :

Respondents reported that they want to develop further expertise in the field of:

- Negotiation skills and techniques, e.i. Harvard method
- Psychology in mediation
- Cross-border family cases
- Mediation in commercial cases, labour law
- Access rights with children
- Maintenance of positive cooperation between parents after divorce
- Dialogue among parents and teachers
- Motivation of parties to use mediation
- Mediation in Latvia, taking into consideration national specifics
- Dealing with aggression in mediation
- Conflict analysis

**Summary:** Advocates are willing to increase their knowledge and skills in broad spectrum of questions related to mediation. Especially techniques not included in Law faculty curriculum are of top interest for advocates.

- 10 **Question No. 10** “How can you describe a role of the lawyer in the mediation process?”

Respondents have answered:

- Advocate shall explain to the client rights and obligations, as warn about legal risks, however shall give a chance to client to find a solution on his/her own;
- Encourage settlement and explain legal consequences;
- Good advocate is also a good mediator, encouraging to find a compromise;
- Advocate shall explain benefits of mediation and encourage to go for mediation (3 answers);

**Summary:** Interesting that all respondents in one way or another have answered that the advocate shall encourage clients to try mediation, but that the “other” advocates are negative to this type of dispute settlement. This means that at least respondents to the questionnaire are positive about mediation.

11 **Question No. 11** “What knowledge and skills in your opinion lack mediators while they are coordinating mediation, which involves lawyers?”

Respondents have answered:

- Mediators are too soft and too much rely on promise that oral agreement will be fulfilled. However clients after mediation is terminated return back to previous lifestyle and breaches promises;
- Mediators at times are bias and are not neutral;
- Legal knowledge (4 answers);
- Practical life experience.

**Summary:** The answers were not too critical, and either suggestions were made to mediators to consult with lawyers in legal aspects of mediation process.

12 **Question No. 12** “What knowledge and skills in your opinion lack lawyers while they are participating in mediation?”

- Lawyers do not know how long mediation proceeds;
- Lawyers do not know why mediator uses one or another mediation technique;
- At times lawyers perceive mediators as non-important, esoteric, irrational;
- Lawyers don’t understand meaning and purpose of mediation;
- Lawyers don’t understand importance of psychology in mediation (2 answers);
- Lawyers lack patience;
- Lawyers lack general knowledge about meaning and stages of conflict, settlement possibilities, lack skills to help the client to start resolving the conflict;
- Lack flexibility to step back from initial positions (3 answers);
- Advocate shall be able to explain to the client how reality differs from utopia initially formulated by the client;

**Summary:** Advocates are illustrated as stubborn and in disbelief of mediation effectiveness.

13 **Question No. 13** “Do you agree with a statement, that mediation should involve only parties to a dispute and participation of the lawyers often makes mediation process more complicated?”

- Yes 8
- No 7

The reasons why the lawyers should participate in mediation are:

- Nobody else but lawyers are the ones explaining to clients their rights and obligations;
- The clients are too naïve and lack life and litigation experience, so without assistance of lawyers the client can wrongly agree to non-beneficial solution;
- Advocate supports the clients not only legally but also psychologically comforts the clients, especially in cases with persons of older age, family violence;
- It depends on personality of the particular lawyer;
- Advocates should not participate, because they only increase disputes and dramatizes legal problematics;
- Advocates should not participate, because in the presence of advocate the client hesitates to disclose all truth, especially private and personal aspects of the case;

**Summary:** Respondents in almost equal parts answered pro and against participation of advocates in mediation process. If the advocate can provide legal assistance, at the same time not damaging healthy flow of mediation process, the advocate is welcome in mediation. However if the advocate is too aggressive and non-flexible, or if the client hesitates in the presence of advocate, then it is better to have mediation without presence of advocate.

14 **Question No. 14** “What are the most difficult legal challenges in cross-border family mediations?”

- A lot of emotions, half-truths and lies. Two completely different stories are presented by opposing parties.
- Lack of evidence about actual reality in families.
- High difficulties or at times impossibility to collect evidence from state institutions of other country, because the clients are not capably to cover financially document gathering process.
- Differences of normative enactments.
- Necessity for documents, correspondence, translations, which is costly process (4 answers)
- Impossibility to have a conversation at the same table due to geographical distance. Remote communication in internet (Skype, Zoom, etc.) is not the same. Remote communication is not as efficient as personal communication in presence (2 answers);
- Different mentalities;
- Protection of the best interests of the child;
- Slow cooperation between cross-border state institutions.

**Summary:** Most of respondents emphasize slow and costly process of collection of evidence in cross-border cases. Also impossibility to negotiate in presence is an obstacle in cross-border cases.

### Questions for all professions

15 **Question No. 15** “What are your needs in trainings about cross-border family cases?”

Most of respondents expressed the interest in trainings about cross border family cases:

- Litigation in cross-border family cases;
- Enforcement of decisions in cross-border family cases (2 answers);

- Discussion about particular, topical cases (in Latvia – Kristine Misane child abduction case) (2 answers);
- Protection of the best interests of the child;
- Recognition of lies;
- Comparative aspects of family law and child protection law (3 answers);
- National specifics and cultural differences (3 answers);
- Techniques of remote mediation, protection of confidentiality (2 answers)
- Abduction of the child in cross-border family cases;
- Cross-cultural aspects;
- Access rights enforcements where parents and children live in different countries.

**Summary:** Respondents working in cross-border family cases are willing to learn more profound topics about comparative aspects of family law, as well as to analyze particular cases already settled by court. Those less working with cross-border family cases want to acquire general knowledge about child abduction cases.

16 **Question No. 16** “Please write what legal problematics have you encountered in cross-border family cases (from your experience or theoretical knowledge)” :

- Too slow legal assistance from the Ministry of Justice;
- Non-observation of terms in child abduction cases;
- The clients do not understand legal effect of foreign judgments without legal assistance of lawyers;
- Realization of access rights and joint custody;
- Persons with low income can’t afford legal assistance in cross-border family cases and in collection of evidence;
- Clients without previous legal assistance have made wrong legal steps based on emotions, which has led to legal problematics;
- Difficulties to cooperate with countries, where are there no agreements on mutual legal cooperation;
- Difficulties to cooperate with Nordic countries, where there are very high child protection rules and high risk for parents to lose children for social reasons;
- Cases with two parallel litigations in two countries;
- Latvian citizens living in Norway in a family with violence episodes, where it is too expensive for mother and children to keep living in Norway social center, but legally impossible to return to Latvia – a country with larger social and family protection, as that would be qualified as child abduction;
- Difficulties to apply the child abduction rules, as mostly abductors are mothers suffering from family violence with difficulties to prove it.

**Summary:** Respondents share their personal experience in cross-border cases and nuances connected with fulfilment of decisions of the court.

17 **Question No. 17** “Please write what mediation problematics have you encountered in cross-border family cases (from your experience or theoretical knowledge)”

- Remote mediation is risky because of impossibility to grant confidentiality;

- Remote mediation is possible better where both parties have electronic signatures;
- Difficulties to choose place of domicile of the child and order of access rights with other parent;
- Problematics where one party is interested in mediation, but the other does not properly respond and just extend the time;
- Uncertainty for mediator to mediate a case where many unknown aspects related to normative regulation of other country;
- Rapid changes caused by decisions and intervention of governmental institutions, unexpected actions of the parties (child abduction, violence, etc.);
- Culture and language;
- Quality of mediation working language;
- Lack of time to reach high quality decisions.

**Summary:** Mediators hesitate to work where they don't feel safe and comfortable in the terms of language skills, culture understanding, legal understanding. Intervention in mediation with new legal facts (activities of parties or state institutions) is also a challenging turn of events in mediation.

18 **Question No. 18** "Please write examples of good practice from your experience in cross-border family cases (for instance, good cooperation between lawyer and mediator, clarification of opinion of the child, fast court procedure, good translation of documents, support from the Ministry of Justice, etc.)"

- In cases where a client has lawyers in both involved countries, clients are better informed and assisted in acquisition process of evidence. Cross-country legal assistance is very important for clients.
- The custody court allowed for the parties and lawyer in cross-country family dispute to use their premises to encourage conclusion of amicable agreement.
- The Ministry of Justice of Latvia provides rapid and efficient phone consultations in cross-border child abduction cases (2 answers).
- In cross-border family case where cooperative lawyers and later – mediator – was invited, the parties participated in mediation. Although officially the mediation ended without agreement, the process itself improved relations of the parties very much.
- In the final stage of mediation the parties and the mediator hold a meeting in the Ministry of Justice premises, where reality check of agreement points were done, which made a positive impact on the parties.
- Cooperation between the parties is started after mediation.
- Successful cooperation between advocates and mediators in drafting of settlement agreement.

**Summary:** Cooperation between lawyers, mediators, governmental institutions and social institutions is a key to success in dispute resolution. Where there is efficient and non-formal cooperation, the clients are faster reaching solutions.

**Conclusions about this survey and the main outcomes.**

1. Both – the lawyers and mediators – are interested in mutual cooperation with the aim helping clients to solve their controversies. Although there are critique points raised against each professions, over all there are more positive aspects in mutual cooperation.
2. It would be beneficial to discuss in mixed groups of mediators and lawyers positive and negative aspects of recent cooperation. Recognition of weak points would be the first step towards strengthening further cooperation.
3. Both – mediators and lawyers – show interest to learn new topical aspects of settlement of disputes process. Especially psychological aspects, comparative legal aspects and protection of best interests of the child aspects are mentioned in the survey.