

Sarah Ross and Nadine Martin - Family Mediation Workshop: Neurodiversity in Practice

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1. What can you expect? Neurodiverse Families Are Inherently Diverse

- You never know what dynamic will walk through the door or appear on screen.
- A family may include:
 - One or more neurodiverse children.
 - One or both neurodiverse parents.
 - A mix of diagnoses and communication styles.

Insight: Pre-planing is hard. Be prepared to be flexible and open minded.

2. Mediation Is preferable to Litigation

- The civil justice system can be traumatic, especially for neurodivergent individuals.
 - Only a small percentage of family cases involving children require court intervention.
 - Instead of asking “Can we mediate?”, ask “How can we make mediation work?”
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3. The Mediation Process: Beginning, Middle, and End

The Beginning: Laying the Foundations

- **Be curious:** Understand the expectations and motivations of the client.
- **Be clear:** Explain the process explicitly,
- **Tailor the agreement to mediate:** Use tools like FLANC’s questionnaire to identify sensory and communication needs. <https://flanc.org.uk/>
- **Offer coaching to help both clients to prepare for their first session:** Help clients prepare emotionally and practically for mediation.
- **Admin is essential:** Paperwork is non-negotiable and sets a professional tone.

The Middle: Navigating the Process

- **Follow the plan—but adapt:** Be humble and reflective—ask “What did I miss?”
- **Avoid assumptions:** Neurodivergent behaviour may look different but is not less valid.
- **Manage the environment:** Virtual mediation increases accessibility but may also increase emotional fatigue.
- **Build trust authentically:** Be honest and sensitive; humour isn’t always the right tool.
- **Maintain boundaries and confidentiality:** Reinforce expectations and protect the process.

The End: Closure and Reflection

- **Ask for feedback:** It’s a valuable learning tool. But don’t pressurise.
 - **Provide follow-up materials:** Ensure they’re accessible and appropriate for your client.
 - **Handle complaints with resilience:** Learn from them, but protect your wellbeing.
 - **Know when to stop:** If mediation is stalling or hitting a roadblock, it’s okay to say so.
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4. Best Practice for Mediating with Neurodiverse Families

1. **Be Curious** – Ask questions, explore expectations, and understand what brought the client to mediation.
2. **Be Clear** – Explain the process explicitly and ask what accommodations might help.
3. **Be Engaged** – Build trust authentically; be honest and present.
4. **Be Sensitive** – Recognise emotional and sensory sensitivities.
5. **Be Adaptable** – Leave behind the “professional jacket” and ego and see beyond that.
6. **Understand Diagnosis** – Be aware of executive dysfunction and the disconnect between the brain and actions, trauma links in neurodivergent people, and your own triggers.

7. **Provide Practical Support** – ensure all your team are aware of any needs identified by the clients.
 8. **Establish Boundaries** – mediation isn't a therapeutic service. Signpost where appropriate.
 9. **Seek Advice** – Use supervision to process challenges and low points.
 10. **Have a Plan—but Stay Flexible** – Tailor the process to the people, not the other way around.
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5. When Mediation Might Not Be Appropriate

- Some neurodivergent individuals may struggle in mediation especially in connecting with why people are feeling a certain way and can struggle with emotional regulation in ways that create blocks to progress. Review your decision with a colleague and consider offering alternative routes to avoid Court.
 - It takes courage to say, "This isn't working." both in clients and mediators!
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6. Final Reflection: Know Your Role

- Mediators are responsible for the **process**, not the **outcome**.