

**Divorce with Dignity**  
**Family, Divorce, Business & Civil**  
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January 10, 2009

Gina G. Bellucci, Esq.  
Administrative Office of the Courts, Family Division  
Hughes Justice Complex  
P.O. Box 983  
Trenton, NJ 08625

Re: Comments on Mediation in Family Part Matters

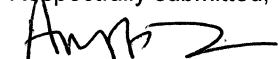
Dear Ms. Bellucci:

I am pleased to submit my comments on the Economic Aspects of Family Law Mediation program in response to Judge Hansbury's letter dated December 9, 2008. By way of background, I serve on the Hunterdon, Somerset and Warren, Family Economic Mediation rosters; I also serve on the Civil roster. I am one of a handful of mediators in New Jersey with a full-time mediation practice. I hold the office of Immediate Past-President of New Jersey Association of Professional Mediators (NJAPM), having served as President from October 2005 to September 2007. I am accredited by NJAPM and the Association for Conflict Resolution, reflecting my high level of training and experience in the field of mediation. I am an instructor for NJAPM's and ICLE's 40-hour divorce training program. Prior to founding Divorce with Dignity Mediation Services in 1997, I was a Vice President with JP Morgan. I earned my MBA in Finance from The Wharton School in 1983. Because of the above, I feel very qualified to provide these recommendations on two aspects of the program that I find particularly personally troublesome:

1. Implement Random and Rotating Assignments of Mediators: Mediators for the Family Law Mediation Program should be assigned in the same way that mediators are assigned for the civil mediation program. The Court should randomly assign the mediator to each case, subject to the conflict of interest checks and subject matter knowledge. As with the civil roster, the Court might want to ascertain the subject matter expertise of the mediator (e.g. child support, taxes, equitable distribution, options, etc) before making their random assignment. Currently 80% of the assignments in each county are going to 20% of mediators, and new mediators to the roster are rarely chosen, unless the attorneys know them. By implementing this change, new mediators to the list will be able to gain experience. If the attorneys or clients want to choose another mediator either on or off list, they are welcome to do so; however, the free hours would no longer apply. This change would benefit new mediators who want experience as well as experienced mediators who want to be paid from the first minute of mediation, and the public would still have access to free mediation.
2. The Court Should Maintain a Unified Roster, Statewide and Professionally Integrated Roster: Each county maintains their own roster of mediators segregated between attorneys and other professionals. There is no reason for the segregation between professional backgrounds. If the application process is meaningful, then everyone on the list should be able to mediate the economic aspects of a family law matter. Having a separate list for "Other Professionals" implies the others are unequal or less qualified to mediate family law matters. I consider myself more qualified on economic matters than almost any other mediator on the roster; there is no reason for me to be listed last on every list. Additionally, having county lists is extremely inefficient; any changes to mediator information have to be made on each list separately – as a result, there are inconsistencies between county listings. The Civil roster provides an excellent model for the Family Economic Program; it includes information on each mediator that can be useful to the litigants and the attorneys.

Thank you for this invitation to present my view. I would also welcome the opportunity to appear before the committee.

Respectfully submitted,



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Accredited Professional Mediator