



## Chapter XI

### “International and EU Perspective on Mediation: Common Principles in Cross Border Family Mediation”

## ROLE PLAY: family mediation

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Your role: Father

Facts know to both parties:

The couple is composed by a Spanish man and a German woman.

After one year of dating, you have twins and move all to Spain, just before breaking up. The children are born in Spain, and the mother takes one child back to Germany, whilst leaving one of the twins at the hospital in Spain, where he is under constant check for serious lungs problems.

Health problems of the child are determined by the use both parents made of drugs and alcohol prior to the conception. No one has been reported to have made use again of drugs or alcohol after the conception. However, the abstinence from drugs has caused in the woman only a serious form of depression for which she turned for help to her mother.

Facts you know, but do not know if the other party knows too

- You have had a secret homosexual relationship during the pregnancy with an HIV positive man, but have been careful in using protection.
- During pregnancy you found heroine in the house, unsure on whether this was old stash.

Task

Explore the possibility to determine by agreement the collocation of both children.

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Your role: Mediator

Facts know to both parties:

The couple is composed by a Spanish man and a German woman.

After one year of dating, you have twins and move all to Spain, just before breaking up. The children are born in Spain, and the mother takes one child back to Germany,

whilst leaving one of the twins at the hospital in Spain, where he is under constant check for serious lungs problems.

Health problems of the child are determined by the use both parents made of drugs and alcohol prior to the conception. No one has been reported to have made use again of drugs or alcohol after the conception. However, the abstinence from drugs has caused in the woman only a serious form of depression for which she turned for help to her mother.

Facts you know, but do not know if the other party knows too

You have no direct knowledge of personal facts of the parties.

Task

If possible, help the parties explore the possibility to determine by agreement the collocation of both children.

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Your role: Mother

Facts know to both parties:

The couple is composed by a Spanish man and a German woman.

After one year of dating, you have twins and move all to Spain, just before breaking up. The children are born in Spain, and the mother takes one child back to Germany, whilst leaving one of the twins at the hospital in Spain, where he is under constant check for serious lungs problems.

Health problems of the child are determined by the use both parents made of drugs and alcohol prior to the conception. No one has been reported to have made use again of drugs or alcohol after the conception. However, the abstinence from drugs has caused in the woman only a serious form of depression for which she turned for help to her mother.

Facts you know, but do not know if the other party knows too

- You have secretly made use of drugs during pregnancy, and depression is caused by remorse
- You already had a child, which you gave up for closed adoption just before meeting the father of the twins
- You had the father of the twins followed in a neighbour known for HIV positives.

Task

Explore the possibility to determine by agreement the collocation of both children.