

Empowering families from the ground up - Amy Oberkircher



“A skilled mediator has lots of tools, but above all mediators need patience, empathy and the ability to really hear people, focus on their needs and recognise they are doing the best they can,” says mediator Amy Oberkircher.

“As a mediator, you need to build relationships of trust so people trust you to do the job, they know you don’t judge them and that you are focused on helping them through this.”

Amy worked in civil litigation and as a family lawyer before retraining as a mediator. She works in Auckland and North of Auckland providing Family Dispute Resolution (FDR) mediation for FairWay, as well as doing some relationship property, commercial and employment mediation.

“One thing I found a bit frustrating about family law back then was the lack of opportunity to get the parties working together to try to find a solution that worked for them,” says Amy.

“It seemed like conversation and communication would help people achieve long-lasting solutions. Now there is much more opportunity for people to work together through their disputes. The Family Court is there if things can’t be resolved in other ways but in most cases, it’s better for people to figure out what works for them.

“Mediation is about helping people figure out what works for them. Helping people reach their own solutions is amazing - from the get go people are learning to communicate in new ways, to focus together on their children and starting consider the other parent’s point of view. Sometimes people come to us in intense conflict and can’t even converse. When they move out of that space of conflict and resentment, they become more relaxed in their families and communities.

“Above all, I work to focus them on their children’s needs. Once parents make this shift, this spills over into reducing conflict, and consequently their children being better able to cope within their family, school and peer group.”

Amy chose FairWay for several reasons.

“I like FairWay’s professionalism and that it’s purely a dispute resolution organisation. They have a great process for engaging families as well as dealing with administrative and financial requirements in advance. There’s no pressure on the mediator to do those things, and you and the parties come to mediation with a clean slate.”

Amy says common themes in FDR cases are usually care arrangements and communication, but every case presents different challenges.

“I’m very interested in how people will communicate - because they might reach an agreement and have a plan that says Chris will drop Bobby off at a certain time, but the child’s needs and the parents’ lives will evolve and they will have to work together to manage the changes.”

“I’ve done mediations where people want to talk about only a few details and some where they have not spoken to each other for months or years. There are cases where one parent wants to relocate, where parents want different names for their children, and people disagreeing over which school their child will attend.”

“Sometimes a child is the result of a one night stand and the parents have never conversed about parenting. They are starting from scratch; mediation is their very first step towards co-parenting.”

Amy also provides mediation for parties who are already involved in the Family Court process.

“It can be very useful for the family and for the Court. It can narrow issues down and give the parents a better idea of what could be discussed in Court. Also, if the only communication between parents is reading each other’s affidavits, that can be very hurtful.”

Amy spends time with each party individually before any joint mediation.

“I believe that’s one of the most important parts - giving people a chance to say what is going on for them helps them to take another step in processing their anger and hurt. It’s about working with people to help them out of the groove they are in, shifting out of an entrenched point of view to focusing on the wellbeing of the child.”

“FDR gives people a chance to take control of their own lives, their own decision making and to converse with the other parent about how their newly shaped family is going to move forward. Often parents will reach an agreement. But even if they don’t, they have still engaged in a process where they are communicating in new ways and that is the first step towards getting a successful outcome in the future.”



How Family Dispute Resolution can help you

Family Dispute Resolution will have the right fit for your family, with over 80 accredited mediators around New Zealand.

Many families are entitled to 12 hours of fully-funded Family Dispute Resolution services.

Get in touch with Amy and the Family Dispute Resolution team to find out more.

Phone 0800 774 420.

Website [Family Dispute Resolution webpage](#)