

Artificial Intelligence (AI): A Practical Guide for Family Mediators

Family Mediators Association

Introduction

Artificial Intelligence (AI) refers to computer systems designed to perform tasks that typically require human intelligence, such as understanding language, analysing information, recognising patterns, and generating responses or recommendations. Many modern AI systems use **machine learning**, where systems learn patterns from large amounts of data rather than following fixed rules programmed in advance.

Generative AI tools, such as **ChatGPT** or **Microsoft Copilot**, can produce written text, summarise documents, organise information, and assist with drafting. These systems generate responses by predicting likely word patterns based on their training data rather than verifying facts in the way a human expert would. As a result, their outputs can sometimes be incomplete or incorrect and should always be reviewed carefully.

In everyday practice, mediators may encounter AI through tools that assist with document drafting, scheduling, research, and workflow organisation.

Some AI tools are available for free, while others require paid subscriptions. Mediators should be aware that free systems may store or review data submitted in order to improve their services, creating **confidentiality concerns**. Paid services often provide stronger privacy controls, but mediators will need to assess whether a particular platform offers value for money and meets appropriate data-protection standards.

Data storage and obtaining informed consent are major issues for all professionals working with sensitive information, as family mediators do. **For family mediators in particular, the Family Mediation Council (FMC) Code of Practice and the Standards Framework, including the AI**

guidance issued in February 2026, provide the starting point, together with obligations imposed by UK GDPR and the Data Protection Act 2018. Family mediators using AI need to ensure that they comply not only with FMC guidance, but also understand where the data they are processing is going to be stored.

A key principle when working with AI is that the **quality of the output depends heavily on the quality of the input – the instructions provided**. Clear, well-structured instructions - prompts - usually produce more useful responses. One helpful technique is to specify the role the AI should adopt, for example:

“Act as an experienced family mediator and...”

For family mediators, AI should always be viewed as a **support tool rather than a substitute for professional judgement, empathy, or ethical decision-making**.

What AI Can Do

AI systems are particularly effective at processing and organising large amounts of information. In family mediation practice, they can assist with a number of practical tasks.

1. Document Drafting and Summaries

AI can summarise lengthy documents such as position statements, or court judgments. It can also generate first drafts of mediation summaries, agendas, or follow-up notes. These drafts should always be reviewed and edited by the mediator. Financial disclosure documents should only be processed if either the confidential information has been anonymised or the AI system used meets appropriate data protection standards.

2. Research and Information Gathering

AI tools can help mediators quickly locate general information about legal principles, mediation techniques, or policy guidance, reducing the time spent on preliminary research. However, legal or factual information should always be verified using reliable sources.

3. Administrative Support

AI tools can assist with scheduling, drafting routine emails, organising notes or case materials, and managing task reminders.

4. Communication Support

AI can help rephrase written communications in more neutral and constructive language. This can be particularly useful when helping clients shift from adversarial communication towards more collaborative dialogue.

5. Training and Professional Development

AI can generate hypothetical mediation scenarios, role-play exercises, or case studies that mediators can use to practise questioning techniques, negotiation strategies, and conflict-resolution skills.

Advantages of AI for Family Mediators

Efficiency and Time Savings

AI can complete routine drafting, organisational, and analytical tasks quickly, allowing mediators to focus more on the human aspects of mediation such as listening, building trust, and facilitating constructive dialogue.

Improved Organisation

AI tools can help structure complex information such as financial disclosures or competing proposals, making key issues easier to identify and manage.

Consistency

AI can help maintain consistent document formats, checklists, and workflows, reducing the risk that important steps are overlooked.

Accessibility of Information

AI systems make general knowledge easier to access, enabling mediators to explore unfamiliar topics more efficiently.

Support for Reflection and Preparation

Mediators can privately use AI to test ways of framing questions, structuring mediation sessions, or summarising issues before the next meeting.

Limitations and Risks

Despite its usefulness, AI also has important limitations.

Accuracy Is Not Guaranteed

AI systems may occasionally generate incorrect or misleading information, sometimes referred to as “**hallucinations**.” This happens because AI responses are generated by predicting likely word patterns; AI does not verify facts and does not reason like a human. Important information should always be verified using reliable sources.

Confidentiality Concerns

Family mediation often involves highly sensitive personal and financial information. Uploading confidential material to AI platforms may create privacy risks if that information is stored or processed externally.

Bias in Training Data

AI systems are trained on large datasets that may contain historical or cultural biases. Their responses may therefore unintentionally reflect those biases.

Lack of Human Understanding

AI cannot understand emotions, trauma, cultural context, safeguarding issues or power imbalances in the way a human mediator can. These factors are central to effective family mediation. For these reasons, AI should not be used during a MIAM assessment.

Over-Reliance on Technology

Excessive reliance on AI tools may weaken professional judgement or critical thinking.

Best Practices for Mediators Using AI

To use AI responsibly, mediators should follow several key principles.

Use AI as an Assistant, Not a Decision-Maker

AI should support professional work but should never replace the mediator's judgement or responsibility for decisions.

Protect Confidentiality

Avoid entering identifiable client information into public AI systems unless the platform clearly meets appropriate privacy standards. When possible, anonymise information or use hypothetical examples.

Verify Important Information

Always check AI-generated material against reliable legal, professional, or policy sources.

Maintain Professional Transparency

If AI assists with drafting or preparation, mediators should be transparent about how technology supports their work.

Develop Basic AI Literacy

Mediators do not need to be technical experts, but understanding the strengths and limitations of AI helps to ensure it is used responsibly.

Maintain Ethical Standards

Professional codes of conduct, confidentiality obligations, and impartiality requirements apply fully when using AI tools.

Practical Examples of AI Use in Mediation

A mediator might use AI to:

- draft a neutral summary of issues raised during mediation
- convert lengthy financial information into key points
- prepare a structured agenda for a mediation session
- generate alternative ways of phrasing a difficult question
- produce a checklist for parenting-plan discussions

All AI-generated material should always be **reviewed and edited carefully** before use.

Ethical AI Workflow for Family Mediators

In many mediation frameworks, recording or transcription of sessions is prohibited. AI can still be used effectively while respecting these rules.

Core principle:

AI supports preparation, reflection, and drafting — not the live mediation conversation.

Typical workflow stages include:

1. **Before mediation – preparation**
2. **Between sessions – reflection and planning**
3. **After mediation – documentation**

1. Before Mediation – Preparation

AI can help mediators organise their thinking and prepare for the structure of the case without uploading confidential documents.

Example prompt:

Create a mediation preparation framework for a case involving child arrangements and finances. Include positions, interests, emotional dynamics and possible settlement zones.

Possible outputs might include:

- stated positions
- underlying interests
- potential areas of agreement
- risks of impasse

AI can also suggest neutral mediator questions, such as:

- “What outcome would help you feel the arrangement is fair?”
- “What is most important for the children in this situation?”

2. During Mediation – AI-Free Core Process

During live mediation sessions, AI tools should **not be used**. Instead, to protect confidentiality, avoid data-processing concerns, and ensure compliance with professional rules, mediators should rely on:

- handwritten notes
 - traditional note-taking
 - professional observation and judgement
-

3. Between Sessions – Mediator Reflection

AI can assist mediators in organising their own reflections after a session.

Important rule:

Only input **neutral summaries**, not verbatim statements.

Example safe input:

- Person A prioritises stability for the children
- Person B prioritises flexible contact
- disagreement exists regarding school holidays

AI may then assist with identifying negotiation opportunities, planning the structure of the next session, reframing the language in the summary to help mediators practice neutral language, generating questions and ideas for the next session by simulating difficult problems that may come up, and generating a wide range of options for clients to consider.

4. Drafting Agreements and Documents

AI can assist with drafting documents such as:

- confidential summaries of proposals (MOUs)
- parenting plans
- neutral summaries

The mediator should always review and edit the output carefully. In particular, there is a risk that AI will introduce legal language or even advice. AI must not be used to suggest or direct outcomes. In relation to children arrangements, there is a risk that AI drafting could produce formulaic arrangements that in no way meet the needs of the actual children concerned.

5. Client Communication

AI can help mediators draft calm and neutral communications.

Example prompt: *Rewrite this email in neutral mediation language that avoids blame and focuses on constructive next steps.*

This can help maintain clarity, neutrality, and a constructive tone. However, it can also mean that the mediator's own voice disappears and that communications become generic or artificial. AI tools are better as drafting assistants than as the authors of communications.

6. Case Organisation

AI-enabled systems can assist with:

- organising case files
 - session scheduling
 - task reminders, including checklists
 - follow-up actions
-

Ethical Safeguards When Using AI

Confidentiality

Avoid uploading sensitive personal information, financial disclosures, or verbatim statements.

Transparency

Inform clients where appropriate if AI is used to assist with drafting or administrative tasks.

Human Oversight

AI suggestions must never replace mediator judgment – they must always be reviewed and approved by the mediator.

Situations Where the Family Mediation Association believes that AI Should Not Be Used

- To record live mediation sessions or MIAMs
 - domestic abuse screening
 - reviewing confidential financial disclosure
 - determining legal rights or obligations
 - evaluating children's welfare concerns
-

The Golden Rule for Mediators Using AI

AI should **assist the mediator — never observe the mediation.**

It can be used as:

- a preparation partner
- a drafting assistant
- a reflection tool

It should **never become a participant in the mediation process.**

Examples of commonly used AI Tools include:

ChatGPT / Claude

Useful for:

- drafting documents
- generating templates
- summarising information
- preparing communications

Miro AI

Useful for visual mapping of issues, interests, and possible solutions in complex disputes.

ClickUp AI

Supports workflow management including case organisation, task tracking, and document preparation.

Zapier

Automates routine administrative processes.

Example workflow:

Client intake form → create case file → send welcome email → schedule session.