

A GUIDE TO FAMILY MEDIATION

What is Family Mediation?

Mediation is not an alternative to legal advice, nor a marriage guidance service. It does not help you to save a relationship but it can help you to make separation and divorce easier. This is achieved by allowing you and your partner to take control of the process and work things out together, hopefully without needing to go to Court.

How does it work?

In the same way as you might instruct a solicitor you, with the consent and involvement of your partner, instruct a mediator. You will be asked to complete a form called an Agreement to Mediate. At the end of the mediation you will be given a summary of the proposals or provisional arrangements that have been worked out.

Mediators can be but do not need to be a solicitor. Their role is totally impartial, the mediator is there to assist you both jointly by offering structure to your discussion and helpful legal information where requested. By assisting your discussion, the mediator helps you to reach a lasting settlement which is fair to both of you and agreed by both of you. You make all the decisions together which speeds up the process of resolving conflict and, if successful, is much cheaper than arguing your case in Court. It is hard work, but it is much less upsetting than going to Court. In many ways it is a modern approach to settling your differences.

It is important for you to have legal advice before and during mediation. Once you reach the outline of a settlement, you will be advised to see a solicitor to ensure that the settlement is fair and reasonable and to assist you to finalise the issue without any delay.

How much does it cost?

A mediation session usually lasts about an hour and a half and costs £200 plus VAT. The costs can be shared between the two of you in any way you agree. If your mediator needs to do a lot of preparation, for example with financial details, then you will be asked to pay for that time also.

How long does it take?

On average four sessions are needed, but if your finances are complex or there is a lot of disagreement between you, then more meetings may be necessary. It is entirely up to you. You decide how many sessions you want just as you decide what is discussed at each session.