

FAMILY MEDIATIONTM NOTTINGHAM BY CAMPIONS SOLICITORS

Mediation



Fixed Fee Alternative to Court Proceedings

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What is mediation?

- Mediation helps families where a relationship has broken down to reach an agreement about the future.
- Mediation enables couples whose relationship has broken down to make decisions on a face to face basis.
- It is an effective route to resolving family issues.
- A mediator gives impartial and independent Information to separating or divorcing couples about legal rights and procedure.
- It is an alternative to court proceedings or can work alongside proceedings.
- We offer a safe, neutral place that provides a managed structured environment. It is an alternative family method of resolution and aims to be non-confrontational.

What issues can mediation assist with?

- **Children** - for example issues about where the children reside or whom they spend their time with.
- **Finances** - for example, issues surrounding property, pensions, savings, investments, debts, maintenance. Our mediator is a specialist and experienced Family Lawyer that also deals with high value assets, therefore we can offer a specialist mediation service where there are extensive assets to be resolved.
- **Divorce / Separation** - We realise that people often want to discuss this and not simply brush over the issues and procedure. Mediation helps separating couples to try to decide together what is the best way forward for themselves and their family.
- **Cohabitation** - There are now more couples than ever before simply cohabiting, often for longer than well established marriages. The law in this area is distinct but in no way less valued.
- **Grandparents** - We can also assist Grandparents with issues over contact with grandchildren.
- **Inheritance & Probate matters** - we can assist in matters where matters where inheritance or probate issues are disputed.
- **Same Sex/Civil Partnership matters** - we have extensive experience in Civil Partnership and same sex relationship matters.

What about reconciliation?

Mediation is not counselling/marriage guidance. Family mediation does not set out to get people back together however if reconciliation seems to be a possibility we would put you in touch with an appropriate service such as Relate

Mediation is voluntary

It is important that each of you enters the mediation process able to discuss and plan freely together and without risk of threat or harm. Please let me know me if there are any concerns for you about your ability to discuss matters freely.

Can I stop mediation at any time

Either of you may terminate the mediation at any stage. If I think it may be inappropriate or unhelpful to continue I may also terminate the process. In either event, I will provide Information as to other options available to you.

The Mediator is impartial

As a mediator I am impartial and seek to help both of you equally. I do not make judgments or express opinions about who may be right or wrong, nor do I take sides. I help you to reach your own decisions about your futures.

Do I need a solicitor?

Mediators provide legal and financial information in an impartial way to help you understand the options available to you. The choices and decisions are yours and I do not make judgments about your individual or joint situation, nor provide advice on your "best interests". I will help you both I will help you both to reality test the options and discuss with you which solutions might work best for you and your family. If it seems that your proposed solutions are outside the parameters that a court might approve, I will discuss this with you. It is possible and often very helpful for you to have advice from your solicitors during the mediation process in order to make informed decisions and so that your respective advisers are kept informed as to progress.

Mediation is open and honest with each party?

All information including correspondence from either of you will be shared openly with you both. The only exception to this is an address or telephone number which either of you wishes to keep confidential.

Mediation cannot take place if I have prior knowledge of the situation through previous involvement as a solicitor, counsellor or in any other professional role. If any other conflict or perceived conflict of interest arises or emerges I will not be able to continue to act as a mediator.

If you are eligible for legal aid/ public funding (we will assess you) then there is NO CHARGE for the mediation process for you. Although we do not have a legal aid contact to undertake legal aid we agree with the principle and agree not to charge for the service under these circumstances.

Costs

We will check whether or not you qualify for legal aid. If you qualify for legal aid you would not have to pay for an assessment meeting nor would you have to pay for mediation. If the other person qualifies for legal aid then again you would not have to pay for the assessment meeting and also the first mediation session would be free.

If neither of you qualify for legal aid then you would have to pay for the assessment meeting and that cost is £80 plus VAT per person and the mediation sessions are charged at £125 plus VAT, i.e. £150, per person per session, i.e. £300 including VAT per session for a couple.

Each session lasts for 1 hour. Our experience is that this is sufficient however if you wish to extend the session this can be done by agreement although we find that 1 ½ hour is the maximum for any session.

The average is about 2-4 sessions but it is YOUR process and it is voluntary.

A compromise to be reached through mediation can cost much less than using solicitors and/or courts, particularly where there are contentious issues. It also keeps the lines of communication open and we believe this is very important especially where there are children.

CAN I BRING SOMEONE WITH ME TO THE MIAM OR A MEDIATION SESSION?

We ask that you do not bring anyone else with you due to the confidential nature or the matters to be discussed. Also, the other party may very well object to other people's involvement. Only if both parties consent and the mediator feels it is appropriate that someone else be involved would it be considered.

Legal Aid

If you are eligible for legal aid (we will assess you) then there is NO CHARGE for the mediation process for you. We have a legal aid contact to undertake legal aid mediation. Please see our leaflet about what you will need to be eligible.

The logo for FAMI (Family Mediation) is displayed in a large, bold, blue serif font.

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