



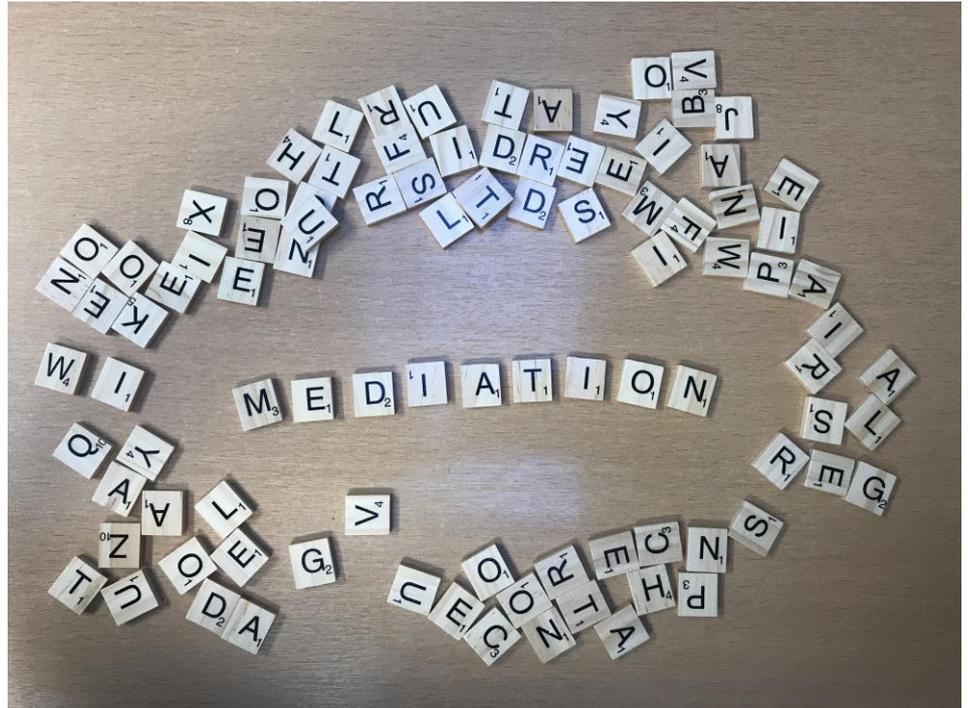
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MEDIATION

What is Mediation?

Mediation is a process in which an impartial third person (the Mediator) assists those involved in family breakdown to reach their own agreed and informed decisions about issues arising from their separation such as arrangements for the children and financial issues. Mediation can help to reduce tension, anger and misunderstandings and improve communication. This is especially important where there are children in the relationship. In mediation, there are no winners or losers. The aim is to work towards an outcome which both parties regard as reasonable and fair.



Who can use Mediation?

Mediation is available to married, unmarried and same sex couples both before or after separation. For Mediation to work, both parties must take part. Mediation is a voluntary process.

What if my partner is violent?

Mediators must make sure that Mediation discussions are fair and that the parties feel safe. The Mediator will check before starting and throughout the sessions that issues of violence or abuse will not be a problem. Violence in the relationship does not in itself prevent Mediation being an appropriate way of resolving issues.

What happens in Mediation?

Mediation takes place in private and in informal sessions. The parties have separate initial meetings with the Mediator. This is an opportunity to learn about the Mediation process, to assess whether Mediation is an appropriate way forward and to consider how the costs of Mediation will be funded.

How long will Mediation take?

If Mediation is deemed to be a suitable way of resolving the issues, an appointment is made for the parties to attend a joint meeting. Sessions can last 1 to 1½ hours and between two to four joint meetings may be required. The time taken depends on how complicated the issues. Where finances are in issue,

the process is speeded up if the parties obtain values of their assets and transfer values of pensions in time for the first joint meeting where possible. Full financial disclosure is important. If a party does not give all the correct information to the Mediator, a Court could overturn any agreement reached through the Mediation process.

Is Mediation confidential?

What is said in Mediation is confidential. However if it seems that someone has been seriously hurt or is at risk of this, the Mediator should make sure that the Police or Social Services are informed.

How much does Mediation cost?

Different Mediators charge different rates, usually by the hour, but in some cases fixed fees are available.

Public Funding (Legal Aid) is still available for Mediation. You will be assessed by the Mediator to see if you are eligible for this.

Are the services of a Solicitor still needed?

Yes, as it is important that each party does have independent legal advice throughout the Mediation process. The Mediator can provide the parties with general legal information but cannot advise each party on the legal merits of their case or the best course of action open to them.

What happens at the end?

The parties will receive a written summary of the decisions they have made. This is not a legally binding document. It is therefore important that a Solicitor is seen about the need to enter into a legally binding agreement or Court Order particularly where finances have been in issue.

How will the Solicitors costs be met?

Each party will have to meet their own Solicitors costs. In some cases Legal Aid is still available for a Solicitor where the Mediation process is being adopted.

Taylor Bracewell Solicitors is a dynamic and forward thinking legal firm with offices in Doncaster and Sheffield. We are passionate about providing individual service and connecting with our clients on a one to one basis. This enables us to fully understand our clients' legal needs and deliver exceptional value in all our services.

If you would like more information about family or would like to arrange an appointment to discuss matters further please contact us on 01302 341414 or 0114 272 1884.



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