

Family Mediation



The information contained within this pack was correct at the time of sharing. We update this on a regular basis. If you notice any links are broken or information has changed please contact ShropshireFIS@shropshire.gov.uk and we will update the information. Further Family Information Services and Resource Packs are available through the Early Help website www.shropshire.gov.uk/early-help.

Mediation.

What is family Mediation?

Family mediation is where an independent, professionally trained mediator helps you and your ex to work out an agreement about issues such as:

- Arrangements for children after you break up (sometimes called custody, residence or contact).
- Child maintenance payments.
- Finances (for example, what to do with your house, savings, pension, debts).

It can also be used to help with the other issues you might face, for example, your children keeping in touch with their grandparents, step families, or in-laws. Mediation can also be helpful when arrangements you've made before need to change, particularly as your children grow up.

If you go to court to sort out your issues, the judge will make the decisions. You will need to stick to these decisions even if one or both of you feel unhappy about them.

Mediation can help you stay in control. No-one will make you do anything against your wishes. The mediator will help you find a solution which works for you both and explain how you can make an agreement legally binding.

A judge will expect you to have considered mediation before you apply to a court to hear your case. They can refuse to hear your case until you have done this. Most people who start mediation will reach agreement without having to go to court. If you need to formally end a marriage or civil partnership, you will need to apply to the court to do this, but you will not usually have to attend a hearing.

How family mediation helps.

It gives you more say about what happens; it's less stressful, with less conflict between you and your ex. The agreements you make can be changed if your circumstances change. It can be less upsetting or damaging for any children involved – and helps them continue important family relationships. It can be quicker and cheaper than long drawn-out court battles.

(Information taken from family mediation council website)

Why mediation is becoming the 'go to' service for separating parents.

There was a time when people's first response to a parenting dispute was to send a solicitor's letter and threaten the other parent with court. However, recent figures show that more people are moving away from court and turning to mediation to help them sort things out for their children.

Why the change?

Parents have got the message that going to court takes longer and is more expensive than using mediation. On top of that there's uncertainty about what the outcome will actually be in a court case - what if neither parent gets what they want? The time, cost, and uncertainty of going to court can all add worry to an already stressful situation.

Family court judges have always known that parents are usually the best people to make decisions about their children. But, when parents don't get on and can't communicate, agreeing on a decision can be easier said than done. In fact, nobody actually likes going to court but parents can often feel like they have no choice if the other parent refuses to negotiate with them.

Mediation is often the answer, as it gives separating parents a dedicated space to negotiate their way to an agreement. To encourage people to consider this option, the government has introduced changes so that parents are now expected to attend a Mediation Information and Assessment Meeting (MIAM) before they can apply to court.

(Information taken from parent connection website)

MIAMS.

Since the recent changes in the law in April 2014 there is a new requirement that any individuals seeking mediation with an ex-partner must have already completed the formal MIAMS process before going to court. It is no longer possible to start the court proceedings without the appropriate forms

(Information taken from divorce service website)

National mediation services for adults.

National family mediation council

If you want to take your case to court it is now – in most cases – a legal requirement to attend a MIAM. The other person involved is also expected to attend a MIAM, but they don't have to go to the same meeting as you.

There are exemptions that mean you might not have to go to a MIAM. It can also be agreed at the MIAM that mediation isn't right for you. There is a range of options available for resolving family disputes so, even if mediation isn't right for you, court isn't the only other option.

<http://www.familymediationcouncil.org.uk/family-mediation/>

National Family Mediation

National Family Mediation (NFM) offers high-quality family mediation and support services to all families affected by relationship breakdown, divorce or separation in England and Wales.

Tel: 0300 4000 636

Website: www.nfm.org.uk/index.php/family-mediation/about-family-mediation

Leaflet: <http://www.nfm.org.uk/images/pdfs/MIAMsA4mar2014Web.pdf>

Resolution (First for family Law)

Mediators are neutral and will not take sides, so they cannot give advice to either of you. They will usually recommend that you obtain legal advice alongside the mediation process and will guide you as to when this should happen. However, Resolution trained lawyer mediators will provide general legal information to both of you within the mediation if this is appropriate. Some are qualified to consult with children in mediation.

Mediation Leaflet: www.resolution.org.uk/site_content_files/files/leaflet_mediation_web.pdf

Website: www.resolution.org.uk/editorial.asp?page_id=54&keywords=FAMILY|||MEDIATION

Tel: 01689 820272 (office hours 9am - 5.30pm, Monday to Friday)

Email: info@resolution.org.uk

Address: Central Office, PO Box 302, Orpington, Kent, BR6 8QX

Parent Connection

Parent Connection has been created by One Plus One the UK's leading relationship research organisation and family mediators to help parents who are either going through separation or who are struggling with issues associated with parenting after parting.

By keeping your children's needs in mind, and learning more about the barriers that get in the way you can learn new ways of communicating and parenting that help move things forward rather than getting stuck.

Getting it Right for Children when Parents Part programme:

Getting it Right for Children is the top priority for most parents when they part. However, it can be stressful at times and even communicating about day-to-day arrangements can be difficult.

Getting it Right for Children is a 4-step programme which uses real life situations to show how things can go wrong and how they can be done better and it is free to use.

Parents who have completed the programme say they find it easier to:

- Talk to their partner about childcare arrangements;
- Find solutions to childcare issues as they arise;
- Stay calm when talking to their partner.

<http://theparentconnection.org.uk/>

Local mediation services.

Find a local Mediation service in your area

Family mediation service: www.familymediationcouncil.org.uk/find-local-mediator

National Family Mediation Services offer services in (Shropshire)

Family Mediation is open to anyone affected by family breakdown to resolve conflict and reach agreement on all issues surrounding separation, divorce or dissolution of civil partnership.

It is a voluntary and confidential process which helps you reach joint decisions without the use of courts, and is mostly used by parents or couples who are experiencing difficulties agreeing arrangements, regardless of age, race, nationality, sexuality, orientation, mobility, faith and other such factors.

Mediation is also available to other family members, such as grandparents, who may be having difficulties over contact arrangements or step-parents who would like to support their new partner.

For those whose first language is other than English, interpreter services can be provided.

Shrewsbury

Address: The Gateway Education & Arts Centre, Chester Street, Shrewsbury, SY1 1NB

Telephone: 01743 355159

Website: www.nfm.org.uk

Market Drayton

Address: Church Street, Market Drayton, Shropshire TF9 1AF

Telephone: 0300 4000 636

Website: www.nfm.org.uk

National Family Mediation Approach to fees

- each local NFM member service sets its own fees
- most operate a sliding scale based on client income
- some operate fixed fees
- some charge lower fees for mediation involving children's issues only (average 5 hours) and higher fees for mediation on all issues (average 12 hours)

Prime Resolution Ltd (Shropshire)

Prime Resolution Ltd offers a family mediation service to couples who need to agree parenting arrangements or to make decisions about finances following the breakdown of a relationship.

Prime Resolution Ltd's service is available to couples throughout Shropshire at their offices in Shrewsbury, Welshpool, Telford, Newport and Shifnal

Shifnal

Address: 11 Victoria Road, Shifnal, Shropshire, TF11 8AF

Telephone: 07712 628938

Contact: Marilyn Webster

Email: info@prime-resolution.co.uk

Website: <http://www.prime-resolution.co.uk/family-mediation>

Shrewsbury

Address: 109 Abbey Foregate, Shrewsbury, Shropshire SY2 6BA

Telephone: 07712 628938

Contact: Marilyn Webster

Email: info@prime-resolution.co.uk

Website: <http://www.prime-resolution.co.uk/family-mediation>

Fresh Start Mediation

Family Mediation service for North Shropshire based in Oswestry, We work across the North Shropshire area from our meeting venue in Oswestry. We can also see clients from; Whitchurch, Shrewsbury, the Welsh Borders. Fresh Start Family Mediation provides a safe, private and cost effective way for separating and divorcing couples to sort out disagreements. It is not relationship counselling or about trying to get you back together, instead we will focus on helping you to agree a plan to move the issues forward.

Address: Whole Life Centre, Cabin Lane, Oswestry, Shropshire, SY11 2LQ

Phone on 01691 779251 for a free consultation

Website: <http://www.freshstartmediation.co.uk/>

Wace Morgan's

We can mediate with many different types of clients on issues concerning children or finances:-

- Married or cohabiting couples who are separating or divorcing
- Civil partners or same-sex couples who are separating
- Grandparents who wish to arrange contact with their grandchildren
- Former partners who wish to reconsider arrangements for their children or financial support
- Couples who are considering separation and wish to agree arrangements in advance
- Couples who are intending living together or marrying and wish to avoid future disputes

Leaflet: <http://wace-morgan.co.uk/wp-content/uploads/2015/10/wm-mediation-services2015.pdf>

Information on mediation assessment meeting: <http://wace-morgan.co.uk/wp-content/uploads/2015/11/mediation-november2015.pdf>

We are able to arrange appointments in Shrewsbury, Oswestry, Welshpool, Newtown, Telford and Church Stretton.

Telephone: 01743 280 158

Email: mediation@wmlaw.co.uk

Website: <http://www.wace-morgan.co.uk/services/family-mediation/>

Private Mediation Fees

If you are not entitled to legal aid, there will be a charge for mediation. We charge at the rate of £110 per hour plus VAT for each person not entitled to legal aid. Therefore a 1½ hour session would cost you £198 including VAT. However, if your former partner is covered by legal aid, the Legal Aid Agency will pay for the first mediation session for you both. The only charge that we will make to you for that first session will be to prepare documents relating to an agreement between you. This is likely to be in the region of £110 plus VAT. The preparation of the Open Summary and Summary of Proposals will be charged at the hourly rate. This is likely to involve up to an hour's work. Two sessions and preparation of summaries may cost about £600.

In addition to the time spent in each session we may charge for other work at the same hourly rate such as: -- consultation with other professionals, document review and interpretation, lengthy telephone conversations, travel time and expenses, preliminary and temporary agreements.

We will discuss and agree with you any such time to be taken which would incur a charge. We will send you an invoice following each mediation session and we ask that you pay the fees due promptly on receipt of the invoice. We do reserve the right to charge a cancellation fee if a joint meeting is cancelled at short notice (within 24 hours) or if you do not attend a joint meeting that has been arranged.

<http://wace-morgan.co.uk/wp-content/uploads/2015/11/mediation-fees-november2015.pdf>

Hall Smith Whittington Mediation

Mediation is available at Market Drayton and Whitchurch.

Generally you both meet the mediator together, although separate rooms are available. It is usually quicker and cheaper than going to court. It is useful to have legal advice from your solicitor too. The discussions are confidential.

You can easily contact us to arrange mediation.

Who is mediation for?

Mediation is for anyone who needs to resolve an issue with another family member.

Couples can use mediation to try to resolve issues about their children, finances or property.

Mediation can be used prior to, during or after a separation or divorce.

Other family members, such as grandparents, can also use mediation.

Tel: 01270 259700 or 01270 610300

Email: mediation@hswsolicitors.co.uk

<http://www.hswsolicitors.co.uk/departments/mediation.asp>

Mediation Information and Assessment meeting £100 (including VAT)

Mediation £180 each per one and half hour meeting

Co -mediation £225 each per one and half hour meeting

Shuttled co-
mediation £300 each per two and half hour meeting
"Shuttle" mediation, where neither party meets the other one face to face. Instead, the mediator acts as a **"go-between"**, with the clients usually being in the same building but separate from each other.

Mediation meetings which are longer or shorter will be charged at a rate of £100 per hour plus vat, or £125 per hour plus vat for co-mediation, when two mediators are necessary.

The charge for the preparation of the Summary of Proposals is usually the same as for a mediation meeting.

If we need to consider documents such as financial or court papers before a mediation meeting, we will charge you each at our hourly rate for the time spent.

Estimate of total mediation costs (per person including vat) **£360 - £720**

Estimate of total co-mediation costs (per person including vat) **£405 - £855**

Sorrells Solicitors

Sessions usually last for an hour and a half each, and we'll discuss with you how many you'll need. As a guide we would estimate 1-2 meetings for children's issues and 3-4 meetings to cover finances. Meetings take place in our offices in Oswestry or at other local venues by arrangement.

Address: 7, Off Old Chapel Court, 13 Church Street, Oswestry, Shropshire, SY11 2SU
Telephone: 01691 829271
Website: <http://www.sorrells.org.uk/mediation/>

How much does mediation cost?

Costs are per person per session.

Initial meeting (also called Mediation Information and Assessment Meeting): **£50 plus VAT.**

Mediation Information and Assessment Meeting and Form FM1 (for court proceedings):
£100 plus VAT.

Mediation session: **£120 plus VAT.**

Preparation of Memorandum of Understanding and Open Financial Statement **£150 plus VAT** (depends on complexity).

Outcome statement **£100 and VAT.**

We can advise if you may be entitled to public funding we will refer you to a local service.

We make no charge for telephone calls or letters so fees are clear with no hidden extras.

Fixed Price Divorce Service in Ludlow and Oswestry and Shrewsbury

We offer Mediation Information Assessment Meeting (MIAM) and mediation by sole or shuttle mediation for couples and we also offer out of hour's mediation for maximum convenience. This is the primary reason why Fixed Price Divorce Services are proving attractive to many couples seeking an amicable divorce.

Telephone: 0800 520 20 27

Website: <http://www.fixedpricedivorceservice.co.uk/>

Mediation Information and Assessment Meeting (MIAM) – £99.00 per person

FM1 for court purposes – £49.00

Mediation meetings Monday to Friday 9am to 5pm – £150 per person per session (90 minutes)

Mediation meeting out of office hours Monday to Friday 5.30pm to 8.30pm & Weekends
– POA

Preparation of open statement of financial information – from £60.00 per hour per person

Preparation of parenting plan – from £60.00 per person

Preparation of memorandum of understanding – from £60.00 per hour per person

Shropshire Collaborative Lawyers.

What is Collaborative Practice?

Collaborative Practice is a new but tried and successful option for divorcing and separating couples or civil partners to resolve disputes respectfully and equitably without going to court.

The aim of Collaborative Practice is to help the couple focus on their most important goals, especially the children, throughout the process.

The end result is a more effective, targeted and productive way to resolve disputes.

In Collaborative, you and your spouse or partner, agree not to go to court. This gives you and them control of the process and outcome. In the court setting, the judge makes the final decision. In other words you both decide the outcome rather than having a total stranger decide it for you!

What distinguishes Collaborative Practice from other methods of family dispute resolution?

Collaborative Practice promotes respect and keeps clients in control of the process, not lawyers and judges.

It addresses each couple's unique concerns, as opposed to going to court where the process is driven by the general procedure applied to all. Costs are approximately half that of formal financial proceedings.

Because clients agree not to go to court, the process is more open and less adversarial. The goal is to enhance communication through the process and lay the foundation for a healthier relationship after the divorce or separation.

Website and list of local collaborative Lawyers: www.shropshirecollaborativelawyers.co.uk
(No Costing given on website)

Terry Jones Solicitors

Terry jones solicitors have trained collaborative lawyer working in their practise.
<http://www.terry-jones.co.uk/personal-advice/collaborative-law>

Shrewsbury: 01743 285 888

Telford: 01952 297 979

Newport: 01952 810 307

Bridgnorth: 01746 768 748

(No costings available on their website)

Mediation for children and young people.

If your parents are going through a separation or divorce you will want to know how it will affect you and what you can do about it. The most important thing is not to panic, and to know this is not your fault. Unfortunately there isn't a great deal you can do to help them except to let them know how you feel, if you can, and to ask them to go to family mediation.

In mediation your parents will discuss what life will be like after they separate. That will involve talking about you, where you will live and how much contact you will have with each of them. They may ask you what you think and it is fine to tell them. Try to say the same thing to both of them.

If you find it difficult to talk to your parents at this time, and that is quite common, it is a good idea to find someone else to talk to. A grandparent, a teacher at school or a family friend.

Remember, things will get better. Parents rarely stay angry with each other for ever and mediation will help them move on with their lives as separated parents. They both love you however hard it may be for them to show you that sometimes. Many children grow up with separated parents and you will probably be able to talk to other people your age about their circumstances. Just remember that everyone is different. Make sure you look after yourself and if you find yourself worrying find someone to talk to. Even if it is just a mate!

Often, parents will agree to children and young people speaking with a mediator so that they can share their views, opinions, thoughts and feelings relating to the arrangements their parents are making following separation.

(Information from the Nation Family Mediation Service)

Information on legal aid.

Ministry of justice civil Legal aid eligibility calculator

Website: <http://civil-eligibility-calculator.justice.gov.uk/>

GOV.UK Legal Aid

Legal aid can help meet the costs of legal advice, family mediation and representation in a court or tribunal.

You'll usually need to show that:

- your case is eligible for legal aid
- the problem is serious
- you can't afford to pay for legal costs

Website: <https://www.gov.uk/legal-aid/eligibility>

Mediation Training.

College of Mediators.

The College of Mediators recognises mediation training providers which meet our high standards of excellence. The College's mediation training standards have been operating for many years and benefit from regular, ongoing reviews and updates. The College is an independent approval body in that it does not deliver training itself and has no commercial interest in approving training bodies.

Address: Unit 1, 41 Old Birley Street, Manchester, M15 5RF

Telephone: 0845 65 85 258 (Local rate)

Email: admin@collegeofmediators.co.uk

Website: <http://www.collegeofmediators.co.uk/Find%20Mediation%20Training>