

# FAMILY MEDIATION

Helping you reach  
agreement



## WHAT IS MEDIATION?

It is a process to help you resolve your family differences such as your finances or arrangements for your children upon separation, without going to court. It is not relationship counselling.

It is voluntary and the discussions are confidential (apart from in exceptional circumstances).

## WHAT HAPPENS?

The mediator will arrange an initial face to face or video meeting with both of you separately to discuss the issues, consider your process options and to see if mediation is suitable for you. This is called a Mediation Information and Assessment meeting (MIAM).

If you both want to proceed, the mediation process can start. Usually the meetings are together with one mediator. If you agree another mediator may help (often someone from a counselling background.) If you prefer you can be in separate rooms. By agreement you can have someone with you. Sometimes your solicitor may also be in the meeting. Meetings can take place online as well as face to face if you wish.

The mediator is impartial. He will manage the discussions and will make sure you can both speak freely and openly in calm surroundings.

The mediator will help you reach decisions about your future by looking at various options and reality testing them. He can give you legal, financial and general information though not advice.

If a solution is reached, usually a Memorandum of Understanding will be prepared together with an open summary of financial information (where appropriate). These are not legally binding but a joint set of proposals. To make them legally enforceable, sometimes the mediator will draft a consent order but you should always take legal advice on these documents.

Depending on the complexity of your situation, you may need between 3-5 meetings. These usually last for one and a half hours to two hours. However you might decide that it would be better to arrange a longer or shorter meeting.

You can end the mediation at any time if you don't feel it is right to continue.

## IS IT BETTER THAN COURT

Yes. You can make informed decisions about your future without the court imposing an order on you and it is quicker.

It can reduce conflict and improve communication.

It will be much cheaper than going to court or potentially becoming bogged down in protracted communications through solicitors.

You have an equal say in the process. There is no judgement of you.

Mediation may not be suitable if there are domestic abuse issues, child protection concerns or where one or other person is not prepared to be open about your situation.

## DO YOU NEED A SOLICITOR?

It is recommended that you take legal advice during the process. You should certainly do so when you reach an overall solution to check that you remain satisfied with the proposals. These can then be converted into a binding court order. You may only need one meeting with your solicitor.

## WHAT WILL IT COST?

The MIAM will cost £150 per person/per hour plus VAT.

Three meetings together with a Memorandum of Understanding and an open summary of financial information will cost each person around £1,000-£1,250 plus VAT. This is a fraction of the cost of court proceedings.

Currently a voucher scheme will pay £500 towards the costs if there are child arrangements to discuss.

## WHAT NEXT?

Please get in touch to arrange an appointment. You can come to our Berkhamsted, or Luton offices. It is possible to meet elsewhere by arrangement.

## WHAT THE EXPERTS SAY

"Richard Phillips is great to work with. He's sensible, astute, pragmatic and always focused on getting the best possible results."

"Richard Phillips is a standout mediator. It is not uncommon for family law clients to dislike mediation but Richard always manages to keep clients in the process and on board."



**Richard Phillips qualified as a solicitor in 1991. He has over 30 years' experience of family law matters. He is a trained mediator and a qualified collaborative lawyer. He is also a an accredited specialist with Resolution.**

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**If you would like more information about the issues raised or any aspect of family law, please get in touch.**

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Machins Solicitors LLP have offices in Berkhamsted and Luton. We are one of the leading law firms in Hertfordshire and Bedfordshire and recognise the need to establish a proper relationship with our clients which allows us to understand individual requirements and to give effective practical advice in a pragmatic, cost effective way. We provide specialist advice and assistance both for businesses and individuals