

The logo for Staffordshire Mediation features the text 'staffordshire mediation' in white lowercase letters. The text is set against a background of three overlapping rounded rectangular shapes: a light green one on the left, a teal one in the middle, and a purple one on the right.

staffordshire
mediation

Family Mediation

Sorting out family disputes without
going through Court

**Family Mediation helps if your relationship
has broken down and you need to sort out
practical issues such as:**

- Arrangements for children
- where they are going to live
and when you'll see them
- Child maintenance payments
- Sharing finances
(e.g. house, savings, pension)
- Dealing with any debts.



REGENT CHAMBERS
STOKE-ON-TRENT BARRISTERS AT LAW

The logo for ADRg features the letters 'ADRg' in a bold, sans-serif font. The 'g' is stylized with a small eye-like shape above it. Below the letters, the tagline 'teach. talk. resolve.' is written in a smaller, lowercase sans-serif font.

ADRg
teach. talk. resolve.



What is family mediation?

If you are separating or divorcing, family mediation helps you sort out disputes - without involving big legal fees or going through a long drawn-out court battle. Our professional family mediators help you work out what happens after you split up. We won't try to get you and your ex-partner back together. We can also help when you've been separated a while and need to sort something out. We will listen to you and your ex-partner explain your concerns and views to each other and will help you both to reach an agreement.

Mediation works by helping people find practical solutions that feel fair. Some people who can't afford mediation can get it for free through the 'Legal Aid' scheme, and we can check this for you, and if necessary refer you on to a legal aid provider.

What are the benefits?

Family mediation:

- gives you more say about what happens. In court a judge will make the decisions. With mediation you and the other party make the decisions.
- is less stressful, with less conflict between you and your partner. If you have children it is less upsetting for them. It can help find ways for everyone involved to get on better in the future.
- improves communication and helps you sort out your future.
- agreements can be reviewed and changed if you both agree - e.g. if your situation changes, and as your children get older and have different needs.
- is easier on your children when parents co-operate and helps them continue important family relationships.
- is quicker, cheaper and provides a better way to sort out disagreements than long drawn-out court battles - helping you to get on with the rest of your life as quickly as possible.

What do family mediators do?

Our family mediators are trained to work with people whose relationships have broken down. We come from a professional background of law. Mediators find solutions that both of you can agree on. A mediator will ask questions to understand your situation. Unlike going to court, you stay in control. No-one can make you do anything against your wishes. Discussions are confidential.

Children have the right to a relationship with both parents (as long as it is safe) and their needs are most important. Some mediators are trained to include children in discussions but only if you, your ex-partner and the child agree.

The first meeting or Mediation Information & Assessment Meeting (MIAM)

The first step is to attend a meeting with the mediator so you can find out more about mediation and if it's right for you. This is generally called a 'Mediation Information & Assessment Meeting' (MIAM) or 'first meeting'. This will be for you alone and nothing you say will be shared with your ex partner. We are also trained to help you find other help and support services if you need them.

When should I go to a MIAM?

Mediation is often most effective when it takes place at an early stage, before the issues become big problems. It's best to contact a mediator as soon as you and your ex-partner have come to terms with the separation and need help sorting out arrangements. You don't need to see a solicitor first but if you do they should tell you about mediation. Even if you've been separated for a while or if your case has already gone to court, mediation can help to resolve any dispute you may still have. The law says that you must consider whether mediation can help you before you can take a case to court. This means you need to go to a MIAM unless special circumstances apply, like if your situation involves domestic violence or abuse.

What happens when I go to family mediation?

After the MIAM, if you all agree to try mediation, you will need to attend mediation sessions of 90 minutes duration. The number of sessions will depend on your situation. When an agreement is reached, the mediator will write it down in a 'Memorandum of Understanding' so that everyone is clear about what has been decided. Agreements made in mediation can be made legally binding by a court if both you and your ex-partner agree. This is sometimes useful if arrangements are meant to run over a period of time, such as child maintenance payments, or if you want something a little more formal to help you both stick to your agreement. Some people going through mediation find it helpful to have legal support to advise them. If you need help sorting your finances in separation or divorce, this can be written in a document called an 'Open Financial Summary.'

What if things don't go as planned afterwards?

If the situation changes and the arrangements aren't working, you can go back to the mediator. If needed, you can agree to change the Memorandum of Understanding.

Is family mediation right for everyone?

Family mediation works for most people. At the MIAM the mediator will talk to you about whether mediation will work for you both.

What if I want to go to court?

The law says that you must consider whether mediation can help you before you can take a case to court. A judge can halt your case until this has happened. You will need to show the court that

- a) you have been to a MIAM to find out about mediation, or
- b) you don't need to do this because of special circumstances which are listed in section 11 of form C100.

Special circumstances include cases involving domestic violence or child abuse, which may not be right for mediation - the mediator can advise you on this at the MIAM or first meeting. Alternatively, if you have evidence of domestic violence or child abuse you may not need to go to a MIAM and may be able to get Legal Aid to pay for a solicitor to help you bring your case to court.

Will we have to pay for mediation?

If you're on a low income and able to get Legal Aid then we will send on your details to one of the Legal Aid Advisors. You may also get financial help to pay for legal advice in connection with mediation if you feel you need it.

If one of you qualifies for Legal Aid but the other doesn't, you will still both be able to have an information meeting and the first session of mediation for free. Even if neither of you can claim Legal Aid, you may still save money by trying mediation first, rather than going straight to a lawyer.



Find out more

See if you can get mediation for free with Legal Aid. Use the online Legal Aid Checker at www.gov.uk/check-legalaid or call the Civil Legal Advice service on 0345 345 4345, Monday to Friday, 9.00am to 8.00pm, Saturday 9.00am to 12.30pm.

For information on family mediation and contact details for local qualified family mediators, visit: www.familymediationcouncil.org.uk
For more general guidance about ending a relationship visit:
www.sortingoutseparation.org.uk
www.advicenow.org.uk/topics/
or
www.citizensadvice.org.uk

E: anita@staffordshiremediation.co.uk
E: edward@staffordshiremediation.co.uk
T: 01782 360028 • 01782 360021
Offices @ Tunstall & Hanley



**Anita Craig,
LLB (Hons); LLM (Distinction); PGDL; PGCE &
Accredited Mediator**

Anita is our full-time Mediator and is a member of the Family Mediation Council.

She was called to the Bar in 2003 and completed her Master's Degree in Family Law a year later, before going on to do a further Diploma in Education

She has enjoyed more than 10 years as an academic, teaching at various institutions: most recently, Manchester Metropolitan University and Staffordshire University. She is currently qualified to Level 2 British Sign Language, and is able to assist the deaf and hard of hearing.



**Edward Palmer,
Barrister-at-Law & Accredited Mediator LLB (Hons),
LLM (Distinction), Dip.P.G.L.S**

Edward has practised from Regent Chambers since 2001 and specialises in Family Law disputes. Routinely, these include: residence / contact, specific issue / prohibited steps, enforcement, financial remedies, financial provision for children, cohabitation disputes and trusts of land.

In his role as a mediator, Edward seeks to assist the parties resolve their disputes in a proactive manner, to save them the time, expense and inconvenience of going through the Court system.



**Frederick Powell,
Barrister-at-Law & Accredited Mediator LLB (Hons)**

Frederick's family work has concerned residence/contact issues and injunctive relief. He is often in Court conducting child care cases and is a preferred advocate in the prosecution of Domestic Violence matters. He is a trained mediator. He has provided numerous training sessions to organisations who assist victims of Domestic Violence and domestic Abuse. Frederick is a member of the Criminal Bar Association, Child Concern and, via ADRg, the Family Mediation Council.

Costs:

In order to assist in budgeting for Mediation, we have fixed session costs as follows:

- Intake meeting (MIAMs) lasting around 45 minutes £100 (may be waived)
- Focused Mediation sessions £300 (the cost usually to be shared by the parties) and usually lasting around 90 minutes.

The number of Mediation session required will vary depending upon individual client needs and circumstances.

Documents: Memorandum of Understanding (MOU) £300 • Open Financial Summary (OFS) £300 • Parenting Plan £300
The cost of the documents may be shared between the parties.

