

MEDIATION

Mediation is a negotiating process to help you discuss all the options that might be available to you, and find the right solutions between you that will help you all as a family as a result of relationship breakdown. It brings you together to have your own discussions and negotiations, with the help of an independent Mediator.

Mediation can help to reduce tension and misunderstandings; and often can help you feel more in control of the decision making needed. Often, at the end of a divorce for example, people can feel it was their lawyers or the Court that decided everything for them – being able to take that control and make those decisions together and for your family can mean that communication is improved between you, and the relationship breakdown itself is a little easier to bear.

Mediation is always voluntary, and for it to work you and your former Partner both need to take part, and to be able to do so fully and without fear. It is important that you are prepared to share information fully with each other, and for that disclosure to be accurate.

The most common issues discussed at mediation include:

- Arrangements for the children
- Finances as a result of the relationship breakdown
- Practical issues to do with the separation, divorce or dissolution e.g. help with how to tell the children you are parting; or short term financial solutions whilst the house is being sold.

You can go for mediation whether you are still living together, have already separated or already divorced. Sometimes, a couple may have been separated or divorced for some years before coming to mediation – for example a problem has arisen about the children's arrangements.

You may still need to have help from your own solicitor during the mediation process. The Mediator cannot offer legal advice to either of you, as they must remain completely impartial, although a Lawyer Mediator can give legal information, e.g. about the divorce/dissolution procedure or factors a Court can take account of. If you need legal advice, to discuss the best course of action for you personally, then you can obtain legal advice in between the mediation sessions. We would always recommend you seek the help of a solicitor at the end of mediation at least – if an agreement is reached, that often needs to be formally drawn up into the terms of a Court Order, for example, and a Solicitor can do this for you.

The mediation itself takes place in private, and in an informal setting. At JLS Solicitors this will be at our offices in Farnham, with Justine Soper. Justine trained as a Mediator with Resolution – a national body of Family Solicitors and Mediators who seek to approach family cases in a conciliatory way (see our *useful links* page for Resolution's website). Many clients have commented on the calming and relaxed atmosphere provided at our offices. Justine is an Accredited Family Mediator with the Family Mediation Council – an umbrella body made up of national family mediation organisations in England and Wales.

Justine will meet each of you initially for an individual session, to take some background information and talk to you individually about what you aim to achieve, and wish to discuss at mediation; and to prepare for the joint mediation sessions.

Joint mediation sessions usually last 1 ½ hours, and can number around 2 to 5, though the time it takes can depend on how complicated the issues are between you.

Justine is unable to assist with shuttle Mediation at our offices – a type of mediation where each of you are in separate rooms and the Mediator “shuttles” between you.