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Mediation: Finding Common Ground



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Mediation is where the divorcing couple discuss how their assets (property, savings and more) will be divided alongside a trained mediator. Mediation can also be used to try and find an agreement about child arrangements, if nothing has been agreed.

The mediator's role is to help the couple reach agreement.

We recommend mediation in most cases. It is usually a cheaper and more amicable method of trying to reach an agreement than using solicitors from the beginning of the negotiation. The cost of mediation is usually shared equally between the divorcing / separating partners.

If you choose mediation, the first stage is to have an initial discussion with the mediator.

This first meeting is called a MIAM (mediation information and assessment meeting) and is when the mediation process is discussed.

If the mediator considers the issues suitable for mediation (as will be the case in most circumstances) then your husband / wife / civil partner will be invited to take part in mediation. If they agree to this then he/she will also attend a MIAM.

Following both of the MIAMs, the proper mediation process will commence, which can involve several joint meetings.

It's important that you know the Mediator is not a Judge. Mediators never force an agreement on a couple. The Mediator is simply there to help you both reach a reasonable agreement, based upon discussions and the financial positions.

Mediators will expect the couple to produce evidence dealing with their income and assets. Usually, Mediators expect to see valuations of any property, bank statements for any bank or building society accounts, wage slips, business accounts if applicable and other documents.

Mediators will suggest that couple should still obtain their own separate advice with regard to the mediation process and any proposed settlement terms.

This article was written by Jeff Garland, a specialist solicitor in Divorce and Child Law. If you have any questions or need more help, please don't hesitate to give Jeff a call or drop him an e-mail using the details below.

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