

Helping you to get the best solutions - mediation

Mediation is a flexible way of resolving family issues at any time during or after a separation or divorce. Resolution mediators are trained and qualified in the full range of family services and because they are members of Resolution, link with other members and professionals who can provide the very best of assistance to you.

In planning to get the best from your mediation, your mediator will be able to discuss with you the range of ways you can design your mediation for your unique circumstances. Detailed below are some of the means to ensure that your mediation can best be tailored to get to an outcome that works for you.

Planning Your mediation flexibly

Typically, mediation takes place via a series of meetings. However, it is important for you to know that your mediator can help you to build in the flexibility that you need in your particular circumstances. It may be possible for you to plan to mediate over the course of a single day or half-day. It might be useful for you to take a break during your mediation to try out arrangements you are considering e.g. arrangements for how your child or children will spend their time between you or you may wish to stagger your mediation meetings to fit with consulting with another professional. Your mediator will be keen to discuss with you what will work best for your circumstances.

Child Inclusive Mediation

Your mediator will help you to think about the best way to support your children, work out how best you can manage explaining things to them and helping you to listen to them and any worries they may have. It can be very helpful for children and young people to be able to meet and discuss with a mediator their perspective on what has happened in their family and what they hope their parents will bear in mind when making decisions about their future. Child Inclusive mediators are trained to talk with children and young people directly, to help them to share their perspectives and views and to decide what they would like their parents to consider. Child inclusive mediators are careful to reassure any child or young person that they are not decision makers but can encourage them to share their thoughts and especially anything they would like their parents to be aware of. Your mediator will be able to discuss with you what is likely to help your child or children best.

Separate confidential meetings

Usually, everything discussed in mediation is discussed with both of you. Although mediators do meet with you individually, they will discuss with you how any information shared in a separate meeting will be taken into any subsequent joint meeting. In some cases, it might be useful for each of you to be able to have separate and confidential

meetings with your mediator. This may be to discuss your own individual circumstances, where there may be complex matters being discussed or perhaps in relation to a decision you are considering. Your mediator will discuss with you if they think it might be helpful for you to be able to have separate confidential meetings as part of your mediation.

Drafting detailed terms from your mediation

Usually your mediator will provide you with documentation following your mediation that sets out what you have decided together. This is called a Memorandum of Understanding or Outcome Summary and accompanies any Open Financial Statement detailing your finances. Many people want to have a more detailed document that helps them to achieve a binding agreement (usually a Consent order) between them. It may be possible for your mediator to draw up more detailed terms for you that will still form part of your Memorandum or Outcome documents and which is designed to assist you in taking steps to formalise your agreement together. It remains a very important aspect of mediation that you seek individual legal advice on any terms you are considering, and your mediator will encourage you to do so.

Having the benefit of other professional services

What is important is that you get the very best from your mediation. It is possible to tailor who is involved and when they should be involved to ensure that you get the very best advice and support along the way. Your mediator can discuss with you when it might be helpful to involve another professional or service, what they can provide and how they can work as part of your mediation process. Other professionals might include your own solicitors, accountants, family consultants and coaches or other specialists.

Financial neutrals

Financial neutrals can work with you and your mediator to help you to get a clear understanding of your finances and what might be possible to do in order to maximise your individual financial situation post separation or divorce. They can be particularly helpful when dealing with complex finances or pensions.

Pensions experts

A Pensions expert can provide a detailed report about any pensions you or your former partner might have. These days, pensions and how to make the most of them is a complex matter and pensions can vary a great deal both in terms of the scheme managing them and in value. Your mediator will discuss with you where they believe it is important for you to have expert help with your pensions.

Family consultants/coaches

These professionals can help you by providing emotional and practical support during a time of separation, divorce, or family change. They can work with you individually or together, can help you to build your confidence about moving into your newly independent life and if you are parents, can help you work out how to build a good and co-operative means of parenting together for the future security and happiness of your child or children.

Early neutral evaluation

Early neutral evaluation involves a qualified professional assessing your situation and providing you with an assessment or evaluation of how a Court might act when looking at your particular circumstances. Early neutral evaluation can be particularly helpful in complex financial matters or where you need to have some kind of indication of what a Court might decide.

Family law arbitration

Family law arbitrators provide a legally binding decision when you have not been able to reach an outcome on some or all issues as a result of mediation. Arbitrators can help with both money and children matters. You are able to choose the arbitrator you want and the way in which the arbitration will work. Using an arbitrator means that you can bypass delays waiting for Court dates and have control over the choice of professional considering your case. It is very important to understand that a decision made by an arbitrator is legally binding. Your mediator will discuss with you whether arbitration might be an appropriate choice for you and it is possible to agree together when you agree to mediate (or at any time during or at the end of your mediation) that you will use an arbitrator should you be unable to reach decisions as a result of a mediation.

Parenting co-ordination

If or when you have found it difficult to communicate as parents or when you have an order from the Court about arrangements for your children, it can be difficult to know how best to put it into action. Parenting Co-ordinators help you to move forwards, find ways to communicate together as your children's parents and are on hand to make a decision if you get stuck with arrangements.

Here to help you

It is important for you to know that we can help you to build in the type of flexibility you need for your circumstances and budget. We are proud that we are able to offer a full range of services for our family clients and we are committed to helping you to get the services you need, when you need them and ensuring that most importantly, we do all that we can to limit distress and help you to move confidently into the future.