



Holistic Family Mediation

with Sushma Kotecha

MIAM FACT SHEET FOR INDIVIDUALS CONSIDERING FAMILY MEDIATION

1. Why Attend a Mediation Information and Assessment Meeting (MIAM)?

- To explore suitable non-court dispute resolution (NCDR) methods, such as mediation, as a preference over court proceedings.
- New Family Proceedings Rules (FPR) from April 2024 emphasises considering NCDR at every stage.
- Courts encourage mediation for cooperative outcomes, aligned with the overriding objective to deal with cases justly.

2. When Can Mediation Be Considered?

- Mediation can occur before, during, or after court proceedings, potentially avoiding or resolving issues.
- It addresses various disputes including child arrangements, financial matters, and non-legal issues arising from family breakup.

3. What Can Mediation Cover?

- Child arrangement disputes, financial settlements, trial separations, and non-legal issues like communication and boundary setting.
- Mediation facilitates the formulation of parenting plans and understanding each party's concerns.

4. How Does Mediation Work?

- Voluntary participation in a safe, neutral environment.
- Third-party neutral mediators assess suitability and facilitate discussions, promoting understanding and confidentiality.
- If agreements are reached, they're documented but not legally binding without further steps to translate into legally binding orders and agreements usually with a lawyer's advice and assistance.

5. Duration and Costs

- MIAM typically lasts 45 minutes to 1 hour; substantive mediation sessions are usually booked for 90-minutes, and the number of sessions required will depend on the number of issues that need to be explored and sorted out in mediation.
- Typically for a mediation referral to sort out all issues (both child arrangements and finances) can take anything from between 3 to 5 sessions.
- Costs: £125 each for an initial separate MIAM, £187.50 each for a 90-minute mediation session.
- Costs are based on an hourly rate of £250 for the substantive joint mediations as well as any pre and/or post preparation work in support of mediation that the parties have jointly requested be undertaken.
- Costs are usually shared but sometimes one party may offer to pay the full costs associated with mediation on behalf of both parties.
- If successful, mediation will provide significant financial savings compared to legal proceedings.

Note: Mediation provides a cost-effective and time-effective method to resolve legal disputes, emphasising cooperative outcomes and emotional well-being.