

Emerald Law
Clarity, Assurity, Quality



MEDIATION FOR YOU



WHAT IS MEDIATION?

Mediation is a quicker, more cost-effective and family-focused alternative way to resolving family issues, with professional assistance, than Court and legal dispute.

The mediation process is designed to enable discussions between you on any family matters and is not as limiting as legal processes can be.

The fully qualified Mediator provides a safe, confidential and controlled and environment for those discussions to take place and takes a neutral role in helping you both through that process over the course of a number of sessions.

The first step is to attend a session alone, called a MIAM where the Mediator will give you more information about the process, tailor it specifically to your needs and assess whether it is appropriate to proceed and the best way to do that. Once the MIAM has been completed and Mediation has been identified as being appropriate, the Mediator will proceed to arrange joint sessions where both parties attend to discuss and, hopefully, agree upon an outcome.

Mediation offers lots of really positive benefits over other forms of resolution and at Emerald Law we offer competitive fees and the £500 non-means tested, non-repayable Government Voucher Scheme. Our Mediators have over 15 years of experience and are fully FMCA and CIM (Child Inclusive) accredited.

The Mediator, as impartial third person, assists those involved in family breakdowns to communicate better with one another and to reach their own agreed and informed decisions about some or all of the issues relating to or arising from separation, divorce, children, finance or property.

The Mediator will seek to help you both to be clear about the questions that need to be settled, to deal with these questions according to the priority you want to give them and to help you gather the financial information that may be needed and help you both consider ways forward and the possible options available.

In the joint mediation sessions confidential discussions will take place. The mediator will maintain a neutral role throughout the process and offers guidance upon the mediation and can offer legal information, but not legal advice.

Mediators can provide some general information about matrimonial and family law and can explain the ways in which a settlement can be made legally binding, but they do not advise you on the course of action you should take, separately or jointly or provide legal advice upon the issues. As our Mediator is a currently practicing Matrimonial and Children Lawyer, she is qualified to help you both with these issues.

The Mediators role is to be impartial, not to make judgments or take sides but to deal with you both as equally as possible.

The discussions you have within mediation are not legally binding.

At Emerald Law, we also offer Child Inclusive Mediation, where appropriate and fully consented. This gives participants the opportunity to extend a really positive message to their child(ren) offering them a voice within the mediation, but in a clear background of no pressure and no weight upon them, as it is explained that they are not the decision makers within the process but gives the child(ren) the reassurance of being heard.

At the end of the process, the Mediator can draw up any proposals and you will be recommended to take these to your solicitor who will advise you on those proposals and draft them into a legally binding agreement, if appropriate.

The decisions remain yours, but the Mediator will seek to help you with your decisions, without urging you in one direction or another. This is where mediation is often much better than Court, where ultimately a Judge may decide things for you.

In these difficult times it is generally better if both of you can sort out together the practical arrangements for the future. In fact, the Family Procedure Rules now mandate active engagement in alternatives to Court.

Mediation can help reduce tension, hostility and misunderstandings and so improve communication between you for the future. This is especially important if you have children, as you may need to co-operate over their care and upbringing for some years to come, especially when Lawyers and Courts have gone away.

WHY MEDIATE?

- ▶ Changes to the law from 29th April 2024 now mandate that you must try alternatives to Court to resolve family law issues or there can be cost penalties imposed and delay consequences, mediation enables you to properly demonstrate your attempts to actively do that
- ▶ Mediation also has a very high success rate
- ▶ The majority of people who try mediation feel that they have had some real benefit from the process
- ▶ You also have a legal obligation to attend a mediation information meeting before the court process can be commenced
- ▶ It's cheaper than court
- ▶ It's quicker than court
- ▶ Mediation is family focused
- ▶ It's less formal
- ▶ You can look at options without being bound by them
- ▶ You control the progress, not the Court
- ▶ You control the outcome, not a Judge
- ▶ It can work with or alongside the legal process also
- ▶ Enables you to look at the practicalities
- ▶ It can be stopped at any stage

WHY EMERALD MEDIATORS?

- ▶ We are highly experienced at mediating family disputes
- ▶ We have Fully Qualified FMCA Mediators, accredited by the Family Mediation Council
- ▶ We have Fully Qualified CIM (Child Inclusive) Mediators, accredited by the Family Mediation Council
- ▶ We can see you face to face in our perfectly designed central and easily commutable offices or remotely via Teams or Zoom
- ▶ Our Senior Mediator is also a fully qualified practicing Family Law Solicitor with over 20 years of experience and has full and current legal knowledge and understanding of your circumstances to aid you throughout the mediation process
- ▶ We are a highly professional Firm
- ▶ We are passionate about helping families be in the driving seat for their own lives and we offer very competitive pricing

WHAT DOES IT COST?

- ▶ Our MIAM appointments are charged at a very competitive price of just £100 + VAT
- ▶ The Costs can be split jointly with the other person equally or by agreement between you
- ▶ We offer the £500 Government Voucher Scheme contributions, which is a non-repayable and non-means tested benefit for anyone conducting mediation where children issues are a factor
- ▶ We help you to reduce your legal costs with direct communications to your solicitors, and 'legal-friendly' documentation where requested
- ▶ We Have a variety of offers from time-to-time to make it as cost effective as possible, please don't hesitate to ask about our current offers

WHAT CAN I EXPECT?

- ▶ 2-6 joint sessions
- ▶ You will not be in a room alone together
- ▶ Managed communal areas
- ▶ At any point the mediation can be stopped by request
- ▶ Side rooms will be provided if breaks are needed
- ▶ No obligation to proceed
- ▶ Informal process
- ▶ Obligations of appropriate civil behavior
- ▶ We can even mediate with you each in separate rooms

WHAT NOW?

what help parties reach agreement

We anticipate that it may be helpful to explain the benefits of mediation to the other person. Please feel free to download this information and provide it to them or his/her solicitor, (or you may wish to ask your solicitor to do so for you), as it may help him/her consider some of the benefits that mediation can offer too

If we can help further, please feel free to contact us and our mediator will call you directly to see about booking a mutually convenient first MIAM meeting and give you the opportunity to discuss any matters with you before proceeding

The first Meeting is called a MIAM (Mediation Information and Assessment Meeting) and takes place with you alone. It will not involve the other person at that stage and they will not know that you have contacted us at that point. The purpose of that meeting is to explain the process more fully, consider all alternatives to Court, and carry out a full assessment of whether it is appropriate to proceed and if so, the best way to make that work positively.

We can conduct the MIAM face to face or remotely and will discuss all options with you when arranging.

If you would like to proceed with your initial MIAM meeting, please do contact us on the below:



www.emeraldlaw.co.uk



0151 229 1170



Emerald Law Solicitors Ltd
Suite 2-3
8th Floor Walker House
Exchange Flags
Liverpool
L2 3YL



family@emeraldlaw.co.uk

