

FACTSHEET No 6:

Making the Most of Mediation



a better way to settle

Mediation is generally a quicker, cheaper and more effective solution than court and litigation for resolving relationship disputes. To get the most out of your mediation sessions you need to be well prepared.

The following are our top tips on preparing for your mediation.

Honesty

The breakdown of an intimate relationship can typically involve deceit resulting in significant mistrust between the parties.

Dealing with the consequences of a relationship breakdown effectively and fairly requires honesty. Divorce law requires a full and frank disclosure of all relevant financial information and we believe this is usually a necessary preliminary step for unmarried separating couples as well.

You can get the best out of the mediation process if you are honest and straightforward about future plans. This enables you to see a way for you to both move forward and use the resources available in an effective and fair way.

Where children are involved, honesty in respect of new partners and any plans to relocate is essential. Separating partners are often anxious and suspicious about each other's plans and intentions. Mediation provides an opportunity for you to reassure one another and to begin to build a platform of trust in respect of your future, separate lives.

Obtain all relevant information

Where there are financial issues to be agreed make sure you have all necessary evidence for a full and frank disclosure of relevant financial information.

In particular you are likely to need:

Evidence of the value of major assets - the family home and any other property, vehicles, any other items worth £500 or more plus the cash equivalent value of all pensions.

***Top Tip:** You can obtain a lot of this information without charge from estate agents, online providers and pension companies.*

Bank statements, payslips, evidence of self-employed or other income – this will need to be shared and exchanged in mediation.

***Useful Tip:** It will be helpful to bring 3 copies of all documents; 1 for your ex partner, another for the mediator and the final one to retain*

Get professional advice

Mediators are unable to give you advice as their role is to be an impartial party throughout the mediation process. They are able to provide you with information and ideas on what other couples have done in similar situations but you will then need to take that information and decide what is best for your own circumstances.

There is a large amount of information available online which may provide additional guidance in addition to the help and support of family and friends.

We believe strongly however, that given the importance of the decisions that need to be made it is worthwhile to obtain specialist professional advice which takes into consideration your own individual circumstances on those ideas that the mediation process has brought forward.

Have faith in mediation

The issues that you have to deal with as separating partners, spouses and parents are generally best resolved by you directly and together. It has been proven that agreements reached via mediation are more enduring than those imposed by a court.

However, if you want mediation to succeed you need to be willing to bring issues into the process and not act unilaterally, whether in respect of the purchase or sale of significant assets, the commitment of income or parenting decisions such as moving home, schools, holidays etc.

Once you have decided to enter mediation all significant financial or parenting decisions to be made should be raised first through mediation. Your mediator will generally be available between mediation sessions to discuss matters of this kind individually.

Persevere

Mediation is about dealing with issues in a fair and reasonable way taking into account the resources available, you and your children's needs, your respective plans and practical realities.

It is not likely to be easy but is a worthwhile investment of time and money which, in the majority of cases will enable you to move confidently and independently on to the next phase of your life. It is therefore worth persevering in the process even if at times you feel it isn't moving as quickly or as productively as you would like.



Further Information & Help:

Call 0788 903 9393 or email:

frances@progressive-mediation.co.uk

charles@progressive-mdiation.co.uk

www.progressive-mediation.co.uk