

# BURLEY & GEACH FAMILY MEDIATION SERVICE

## FACT SHEET

### MEDIATION INFORMATION AND ASSESSMENT MEETINGS (MIAM'S)

As a result of the new Family Proceedings Rules effective from 6<sup>th</sup> April 2011 and the Pre-Application Protocol that they introduce all persons seeking to make an Application to the Court in relation to specific family matters will need to attend a Mediation Information and Assessment Meeting with a Competence Assessed Mediator and have a completed FM1 form completed by that Mediator, before being signed by the client or their Solicitor before an Application to Court can proceed.

The MIAM's are not intended to be a brief "box ticking exercise" with the client, but an opportunity to properly investigate the use of Mediation to resolve the issues that the client has and avoid protracted litigation.

As defined by the Family Mediation Council the Mediator will be expected to provide an appropriate environment to meet with the clients for an opportunity for the Mediator to discuss specific matters with the clients to include for example such issues as: -

1. To screen and assess for domestic and family violence, and any child protection issues, whether unreported or not, and for onward referral to appropriate outside agencies where necessary, or to provide appropriate information as to other sources of assistance and protection from harm, including emergency remedies.
2. In addition to explain the principles and process of Mediation to the clients and to provide information on other appropriate methods of family dispute resolution including Collaborative Law, Solicitor led negotiations and litigation.
3. To check for the possibility of reconciliation between the parties and to signpost clients to appropriate services where necessary.
4. To assess whether Mediation is suitable in respect of the dispute, the parties and all the circumstances of the case.
5. To signpost clients where necessary to other ancillary services such as Counselling, Debt Counselling, Mortgage Advice etc.
6. To assist the clients to make an informed decision as to their wish to Mediate or not.
7. To provide information in respect of the family law process in relation to children issues and property and financial issues bearing in mind the limitations of the Mediator's role and responsibilities in relation to the Law and any legal process.
8. To carry out accurate financial checks to assess the eligibility of the clients for Public Funding and to provide full information as to the cost of Mediation to the clients whether as Public Funded clients or privately funded clients.

## **The Costs in relation to attending a MIAM/Providing a completed Form FM1**

For a client who is assessed as qualifying for Public Funding Mediation then there will be no charge for attending a MIAM, or providing the FM1 as the cost will be met by the Legal Services Commission.

For clients assessed as not eligible for Public Funded Mediation, then there will be a fixed cost for attending a MIAM and/or providing the FM1 of £87.00 plus VAT **each** payable prior to the MIAM and prior to provision by the Mediator of the completed FM1. In circumstances where only the provision of the completed FM1 is required there will be a fixed cost of £40.00 plus VAT payable in advance.

### **Burley & Geach Family Mediation Service**

8 Swan Street  
Petersfield  
Hampshire  
GU32 3AE

**Tel: 01730 262401/710170**

Fax: 01730 265182