

## The Process

A mediator will meet with you and your former partner to identify what issues need to be resolved and help you understand what matters to you so that you can make your own choices about the best way forward.

You will probably have a number of sessions as a couple together with the mediator; three to five 1 or 2 hour sessions is not uncommon and this will help you reach agreement.

You can consult your own solicitor at anytime during the mediation process to take advice on what is best for you and once both yourself and your former partner are both content with the decisions that you have reached your proposals are then approved by your solicitors who will complete the legal formalities.

## Advantages and Disadvantages

### Advantages

#### Reduced legal costs

National Family Mediation states that 68% of clients reach agreement when discussing child issues only. When couples discuss "all issues" (child/property/financial), 80% resolve all or some issues. Instead of each of you relying on solicitors or the court to sort things out, mediation attempts to cut through the anger and hurt, helping you to resolve the issues yourselves.

#### Ownership of the outcome

An agreement made between yourselves is more likely to be kept rather than one forced upon you, especially where children are concerned. It focuses on the future rather than the past, allowing you both to reach a compromise which is considered just and fair. This agreement can then be drawn up by your solicitors and made into a formal court order. Even if agreement cannot be reached on all subjects, you will have at least gathered in the information that solicitors will need and therefore have saved on costs and time.

### Disadvantages

#### Costly in terms of emotional stress

Having to meet your ex partner can be quite traumatic but there is a lot to be gained. If one of you has always held the purse strings or made all the decisions, you could be at a disadvantage but the mediator will try to keep things on level ground. The main disadvantage occurs when solicitors are not used before and during the mediation process as couples who expend so much time and energy in mediation are sometimes reluctant to try to change the agreement when advised to do so by their respective solicitors.

#### The need for solicitors

Your solicitor is the only one who can apply your personal circumstances to the law and decide what is equitable and fair. They are able to see the future pitfalls of any agreement and will want to protect your interests. Yet again, it is a question of gathering information, discussion and expert advice but it is up to you to decide in the end.