

Mediation to reduce stress and costs in divorce

New rules introduced last year by Justice Minister, Jonathan Djanogly, aim to help separating couples resolve their disputes more cheaply, quickly and less stressfully through mediation.

Mediation involves couples working through issues with a qualified mediator, usually in a series of meetings. It is an unbiased, voluntary and confidential process. A couple will usually choose a mediator whom they are both happy to work with.

The aim is to agree arrangements which both parties are happy with, rather than decisions having to be made in court regarding a couple's future arrangements for their children and finances. One of the bene-



fits of mediation is that it can reduce hostility and also lead to a more positive on-going relationship in the future.

The changes are the result of the Government seeking to reduce the number of divorces that end up in the courts, by encouraging more people to resolve disputes outside court by using alternatives like mediation.

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The new rules mean that anyone setting out to contest the terms of their separation in court will first be required to consider mediation and attend a 'mediation information and assessment meeting'. At this meeting, both parties can find out what the process involves and how it might benefit them before they decide if it is right for them.

If the couple decides to proceed with mediation, then they might expect to meet with their mediator up to four or five times for one to two hours. Solutions can be discussed and agreed in a neutral setting which is much less stressful than within a courtroom.

Jonathan Djanogly said: 'Mediation is a quicker, cheaper and more amicable alternative, particularly where children are concerned. 'The new rules mean everyone now has the opportunity to see if mediation could be a better solution than going straight to court.'

Ware & Kay's Jonathan Leach has extensive experience in all aspects of relationship breakdown.



For advice or to make an appointment, please phone Jonathan on 01904 716 000. The first half hour consultation is offered free of charge.

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