

mediation / first



The whole picture

A fresh, common sense way of helping you separate

Separating is never easy. But it doesn't have to scar you and your family forever.

No matter how high emotions are running or how trapped you feel in an endless tit-for-tat legal dispute, there really is – almost always – a simple, common-sense way forward. A breakthrough moment.

At Mediation First our purpose is to help you find it.





“Amazing what mediation can do, talking things out with a mediator really does help.”

Client



The simpler, more constructive, less expensive solution

All the research, as well as our experience as mediators, tells us that long-term legal arguments cause real damage to families, especially when children are involved.

This is why more and more couples are opting for mediation – a much simpler, kinder and less destructive route.

Mediation is collaborative rather than adversarial. Unlike lawyers, we work with both of you, not just one side or another. Mediators are experts at helping you work together to reach a fair solution, not just arguing a particular point of view – so you make progress much more quickly and at much lower cost than through the traditional solicitor route.

The whole picture – our guiding principle

At Mediation First we firmly believe that families deserve a better way of settling disputes than battling it out in the courts.

We know that the best outcomes only happen when both parties stand back, take a deep breath and see the whole picture. So that simple idea, the whole picture, sits behind all we do.

Over the last two decades, we've become one of the biggest and most experienced family mediation services in the country. Our caring and close-knit team of professional mediators has helped many thousands of families to minimise the long term pain of separation. 81% say that mediating with Mediation First has helped them move forward after just a few sessions.



We are specialists in mediation – just mediation

Mediation First has been at the forefront of developing and professionalising the modern, collaborative approach of mediation so that it is now firmly part of the family justice system.

At such a difficult time in your life, you need to know that you are in the very best hands. So we focus exclusively on our expertise as mediators.

As most of our mediators have been legally trained as lawyers or barristers, and all are accredited by the Family Mediation Council, you can be confident that we fully understand the legal side of these disputes.

But we are totally independent of other legal practices, which makes us completely impartial.

“The ‘go to’ mediators in this region. They have helped many of my clients secure sensible agreements, thus avoiding the distress, uncertainty and expense of the adversarial process.”

Solicitor

Helping you find a fair financial arrangement

Sorting out finances when you are separating often needs urgent attention but can seem overwhelming and complicated.

Mediators are experts at seeing the wood for the trees. Almost all our successful mediations are sorted in three joint meetings or fewer. That means that all those questions keeping you up at night could be answered in just a few weeks from the moment you meet us - and at a fraction of the cost of using the adversarial solicitor route.

We can also help you by bringing in additional professional expertise when there are complicated businesses or pensions to discuss. By involving accountants, financial advisers and pensions specialists either alongside or actually in the mediation process, we can ensure all the relevant information is available. That means that you can make informed decisions about what's fair and in your best interests.

TOP FIVE QUESTIONS ASKED BY MEDIATION FIRST CLIENTS

- > Where is everyone going to live?
- > What's going to happen to the home?
- > What about investments and savings?
- > How am I going to afford to live?
- > How do we deal with pensions?

THE MEDIATION FIRST WAY

Sorting out the finances



Sharing information

- > Clarify priorities and concerns
- > Share financial information and documentation
- > Mediator prepares detailed and comprehensive joint financial statement



Exploring options

- > Break down issues into 'bite-sized' elements and provide legal information
- > Identify viable options
- > Explore preferred options in greater detail
- > Highlight further information required to reality-test preferred options
- > Mediator prepares summary of options



Finding solutions

- > Develop discussions to reach consensus
- > Agree details of terms of settlement
- > Agree next steps to ratify settlement
- > Mediator prepares memorandum setting out settlement



Legal documentation / implementation

- > Take legal advice to check settlement is legally fair
- > Legal adviser prepares formal documentation for court
- > Documents filed with court for judge to approve consent order
- > Terms of court approved agreement then implemented

How to make sure your agreement is legally fair

Mediation isn't just about finding a workable solution. You'll also want to make sure it's legally fair and binding. Our mediators will give you lots of information throughout the process so you can get a really good understanding of what the law considers relevant and important in ensuring a fair outcome.

If you have a solicitor, you can check out your proposed settlement with them before it's made legally binding to make sure you are getting your fair entitlement. If you have both decided not to use separate legal advisers – perhaps because you're worried you'll be encouraged to take up polarised positions – Mediation First has developed a quick and inexpensive alternative. We have teamed up with a leading Barristers Chambers so that a specialist family law barrister can look at your overall financial situation and your proposals and provide a written indication of what a judge would consider fair. It's a great way to be confident that your mediated settlement will obtain the seal of approval from the court.

We can also design the mediation to fit the needs of your case. For example, you may feel nervous about negotiating directly with your ex-partner without the support of your legal adviser. Our pioneering solicitor-supported model of mediation allows you to come to the mediation with your solicitors so you have all the legal advice you need on tap during the negotiations.



“Clients frequently comment on how impressed they are at your ability to manage technically difficult financial situations.”

Solicitor

Minimising the impact of the separation on your children...

Every parent we meet tells us that they want to minimise the distress and upset for their children. As the research consistently proves, the way parents manage separation has a profound impact on their children not just at the time but also later as they grow up.

We help you to focus on your shared commitment to your children and consider what it is they need from you. Often parents and other caregivers find it useful to make decisions together covering every aspect of a child's life. How will you enable your children to make the most out of their relationships with the significant adults in their lives? What do day-to-day arrangements look like? How are you going to arrange holidays, Christmas, birthdays? How will you communicate constructively going forwards to share information about your children? How will you navigate the ongoing decisions you may need to make about education and healthcare? There is a lot to consider, but we help you to work together to prioritise the needs of your children so that you can make the right choices for them.

...and giving them a voice too

We recognise that, where decisions are being made concerning them, children of an appropriate age should be provided with an opportunity to express their views. This is supported by research that has shown that it is beneficial for children's mental health and well-being to feel heard following a separation. Children, however, often find it hard to explain their feelings to their parents for fear of upsetting them.

Here at Mediation First, we have mediators specially trained to meet with children directly so that they can talk about their own wishes and feelings within the mediation process. Our experience is that children really appreciate this option to speak to us. For you, as parents, that clearer understanding of your child's perspective will help you see the whole picture, so you can find better solutions that work for each of your children.

THE MEDIATION FIRST WAY

Sorting out arrangements for your children



Understanding your children and your key goals

- > Build a picture of each child and their 'world'
- > Understand the needs of each child and your goals
- > Identify areas for discussion and agree an agenda of topics



Listening to the voice of the child - option

- > Confidential one to one meeting between each child and mediator
- > Opportunity for each child to express their wishes and feelings
- > Mediator feeds back to parents



Finding solutions

- > Explore your ideas and different options
- > Focus on what is in your children's best interests
- > Look at ways to improve communication
- > Agree practical arrangements for your children



Creating a Parenting Plan

- > Mediator drafts parenting plan
- > Parenting plan sent to parents to sign to confirm formal agreement after mediation concluded
- > Can be ratified by court if both parents require

"79% of the population say conflict from divorce or separation can affect negatively children's mental health. Amongst people who experienced their own divorce when they were children, this number rose to 87%"

YouGov Survey | 2018

How the mediation process starts

The mediation process begins with a one-to-one confidential Mediation Information and Assessment Meeting. This is when you meet one of our professional mediators on your own and explore whether mediation is the right way forward. The meeting is dedicated time for you – a chance to be listened to as you tell us about the situation from your point of view.

It's also the point at which our professional mediator starts forming a detailed and sensitive understanding of you and your circumstances. If you think mediation might be the best option for you, we can discuss the different models of mediation so you feel really comfortable about going ahead. Then, when you both decide to give mediation a try, we set up a mutually convenient date for our first joint mediation session. From there it takes just a few meetings to move towards finding a mutually acceptable way forward which can then, if you choose, be made legally binding.

"I thought Victoria was a fantastic mediator. She made me feel as calm as possible and put me at ease. Highly recommended!"

Bristol client

"Our mediator was very clear skilled and professional! There were clear boundaries and goals and it felt like there was focus."

Plymouth client

"I found Claire extremely caring while still maintaining a professional and informative stance. Thank you."

Yeovil client



Mediation First is one of the UK's largest family mediation practices and we can offer online mediation wherever you're based. If you're ready to move forward, it makes sense to try Mediation First.

Devon and Somerset Law Society Awards 2019



WINNER:
Leader of
the Year



WINNER:
Team of
the Year



HIGHLY COMMENDED:
Law Firm of
the Year

Contact us to speak directly to a Mediation Assistant

office@mediationfirst.co.uk