



## **GUIDE TO/AND BENEFITS OF ATTENDING A MEDIATION INFORMATION AND ASSESSMENT MEETING (MIAMS)**

### **Midlands Dove Mediation Family Mediation Service**

We are an independent mediation service offering families the opportunity to resolve disputes without the need for costly and stressful court intervention. This is typically, but not always, between separating couples who wish to resolve financial issues and arrangements for their children.

We have a team of dedicated Mediators, most of whom are qualified lawyers.

Our service is government quality assured, something we have worked hard to achieve and maintain. This means we can offer to you (if eligible) publicly funded Mediation Information and Assessment Meetings (MIAMS) as well as publicly funded Mediation.

All potential participants have their own initial, private and confidential meeting.

### **What is a Mediation Information and Assessment Meetings (MIAM)?**

A MIAM gives you the chance to meet one of our Mediators who will:-

- Explain how the Mediation process works as well as alternative such as Collaborative Law, Court process, Arbitration and in what circumstances a processes may be suitable
- Explain the role of the Mediator
- Discuss whether you would like to try Mediation as a means of trying to resolve your dispute
- Assess your eligibility for FREE Mediation if not already
- Advise you how much Mediation will cost (where applicable)
- Compare the likely costs of Mediation with litigation (going to Court).

We offer potential participants, the opportunity to attend a Mediation Information and Assessment Meeting on their own (i.e. **without the other person who is involved in the dispute**). A meeting lasts about 45 minutes to 60 minutes.

### **Cost of Assessment Meetings**

- If you wish to be assessed for publicly funded mediation, you will be asked to provide evidence of your income **prior to any appointment being offered**- please see Guide '**Is My Assessment Going To Be Free**'. When offered an appointment, this an initial indication of entitlement to Free Mediation. Legal Aid is also subject to an assessment of a person's capital (regardless of income). Additional evidence may be required for production, during or following your MIAM. This will be internally considered by an Accredited Mediator. They will determine eligibility. Confirmation of eligibility or otherwise will be notified to you.
- Where the other person is eligible for Free Mediation and you are not, the cost of your Assessment Meeting is free, along with the first Session, but not after that point.

- We must have met with the other party and verified their eligibility for Free Mediation, prior to your Assessment to register your eligibility for an Assessment Meeting free of charge. If the other person is entitled to Free Mediation you will be entitled to a refund of your Assessment Fee unless the monies are utilized to meet future session costs. Refunds can take up to 10 working days.

Information about eligibility for Free Mediation can be found at: [www.gov.uk/check-legal-aid](http://www.gov.uk/check-legal-aid)

- If you do not qualify for free mediation, the cost of the MIAM £125.00 + VAT (currently 20%). This totals £150.00. There are no hidden or extra charges, the fee includes the cost of completing and sending the FM1. MIAM payments must be made at the time of booking.

## How A Mediation Information and Assessment Meeting will Help Me?

Your Solicitor (if you have one) may have explained to you may have read the court guidance, that there is now an expectation that parties resolve disputes out of court.

- Courts often struggle to find solutions which suit the whole family and reduce conflict.
- decisions made through Courts can take a long time,
- Court proceedings often increase stress on everyone involved and
- Incur substantial costs.

Individual Mediation Information and Assessment Meetings (MIAMs) are designed to provide information and identify processes to help you find the support and identify the next steps available, to assist in helping you to move forward towards a resolution. Our Mediators, will obtain information which will help them assess whether or not Mediation could be a suitable process in your circumstances. This can not be determined fully, until each party has completed their MIAM.

- **Meetings are conducted by qualified Accredited Mediators** and are members of the Family Mediation Council. Their role is to assess and understand in conversation with you, what is most important for you to resolve or deal with, the ways (which you may not be aware of) you might seek a resolution, without going to Court . They will provide other information that might help or assist you in all of the circumstances. There is an expectation other person/your former partner will be offered a similar opportunity to meet. This will be scheduled at totally separate time .
- **Meetings are usually offered on a confidential basis**, the only exception to this relates to **safeguarding**,(eg. if you should report or say anything in the meeting that refers to your safety, the safety of another person – particularly any child or children). If that should happen, the Mediator will talk with you about what needs to happen next, including whether they should contact an appropriate agency.
- **Important information for you understand** . In your separate MIAM, information about the matters you wish to resolve within the Mediation process will be discussed. These issues will form the basis of discussions in mediation. They are likely to form the agenda in a mediation and will need to be openly discussed/shared with parties. The Mediator will explain and discuss this with you so that you are clear about this.

- **Information provided outside of meetings** (either individual assessment meetings or joint Mediation Sessions) will be shared with the other party unless it relates to:-
  - Provision of information for your Legal Aid Assessment
  - Change of contact details
  - Information affecting immediate safety of an individual connected to a Mediation
- **The Mediator you meet at your Assessment Meeting may be your Sessional Mediator** therefore your Mediator may not ask you to provide too much detail of the issues but may ask you to focus upon what issues can be identified which need to be resolved and what you would hope to achieve within the Mediation process. The Mediators will focus upon your perspective and understanding of the situation and how these issues could be addressed and progressed within session.
- **Mediators are at all times independent and impartial.** They will discuss the Mediation process and information relevant to any prospective Mediation with you within the assessment meeting and again during any Mediation session (should Mediation commence).
- **In the meeting, the Mediator will also be able to give you information** about other services that may be able to help if you have concerns about your children and managing parenting now or once you are living separately, managing money and debts, personal emotional support and/or other practical matters that affect those who are separated or who are planning to or have divorced.
- **Following the completion of both individual MIAMs, the Mediators will determine whether Mediation maybe a suitable process.** Should they determine Mediation is not a suitable process to be undertaken, **no specific** reasons will be provided to either of you to ensure impartiality is maintained.

### **Data Protection and Privacy**

We are committed to complying with the General Data Protection Regulation 2018 and other applicable Data Protection Legislation. We have therefore adopted a transparent approach as to how we collect, use, secure and retain your personal data.

Full details of this can be found in our Privacy Policy contained on our Website at [www.midlandsdove.co.uk](http://www.midlandsdove.co.uk) . If you do not have access to the Internet then a copy of the Policy can be provided to you on request.