

## FAMILY MEDIATION WORCESTERSHIRE

### CHARGES FOR MEDIATION

from 6 April 2009

Family Mediation Worcestershire (FMW) is a **non-profit making registered charity** and a company limited by guarantee. We are able to offer free family mediation to those who are eligible for Community Legal Service (CLS) funding. Those who are assessed as not eligible for CLS funding will be asked to pay a fee for mediation according to their assessed 'disposable income' (see table below).

<b>CHARGES FOR MEDIATION (per person, per session)</b>			
<b>Assessed Monthly Disposable Income</b>	<b>Band A £734 - £1000</b>	<b>Band B £1001 - £1500</b>	<b>Band C £1501 and over*</b>
<b>Initial Meeting</b>	<b>£40</b>	<b>£40</b>	<b>£40</b>
<b>Child Mediation</b>	<b>£85</b>	<b>£120</b>	<b>£150</b>
<b>Property/Finance &amp; 'All Issues' Mediation</b>	<b>£130</b>	<b>£170</b>	<b>£200</b>
<b>NB Band C rates will also be charged if you do not wish to complete the financial assessment or if you fail to provide documentary evidence of income and savings. *</b>			

The above fees are inclusive of VAT (VAT registration no. 843 4470 27) and all administration costs.

THERE ARE NO ADDITIONAL CHARGES.

Payment can be made by cash, cheque and most major credit and debit cards.

#### **CHARGE FOR CANCELLED / NOT KEPT APPOINTMENTS**

Missed appointments and those cancelled at the last moment are very costly to our organisation, particularly when we are not given enough time to offer the appointment to someone else. **Once an appointment is confirmed with you, we require at least 2 working days notice of a change or cancellation, or we may not be able to offer you another appointment. Clients who are not publicly funded will be charged a £20 administration fee and no more than two late cancellations will be permitted.**

#### **FINANCIAL ASSESSMENT**

If you want us to work out whether you are eligible for free or reduced cost mediation, we will need to see evidence of your income, and if you have a new partner his or her income as well. We will also need to know about any savings or capital assets you may have. A checklist of the information required will be sent to you when we confirm your first appointment.

If you are in receipt of Income Support, Income Based Job Seekers Allowance or Guaranteed State Pension Credit, you will automatically qualify for free mediation, although you will need to provide evidence of this at the initial meeting.

**You will NOT BE ELIGIBLE for free mediation if your gross income (before deductions) is more than £2657 per month (£31,884 per annum), or if you have more than £8000 in savings and capital assets.**

#### **OVERALL MEDIATION COSTS (per person)**

The estimated cost of mediation in each charging band is as follows:

Children's issues only: We would expect to see you for an initial meeting and two mediation sessions.

Band A: £210

Band B: £280

Band C: £340

'All Issues' (property/finance/children): We would expect to see you for an initial meeting and three mediation sessions. (An additional meeting may be required to finalise the formal agreement, or 'Memorandum of Understanding'.)

Band A: £430

Band B: £550

Band C: £640

We are required by the Legal Services Commission to give you information about the relative costs in this area of using legal representation in the courts. Costs can vary significantly from one legal firm to another. However, we understand that a divorce where issues of property, finance and/or children are in dispute, can cost in the region of **£8,000 to £12,000**. High conflict cases can run into many thousands of pounds.

**Mediation can reduce conflict and therefore reduce court and legal costs.**

**THE MEDIATION SERVICE DOES NOT TAKE THE PLACE OF SOLICITORS. WE STRONGLY RECOMMEND THAT YOU OBTAIN YOUR OWN INDEPENDENT LEGAL ADVICE FROM A SOLICITOR OF YOUR CHOICE.** (A list of local family law solicitors is available on request).

## **THE MEDIATION PROCESS**

### **INITIAL MEETING**

Your first appointment with a mediator is primarily an information meeting to help you decide whether mediation could be helpful for you and your family. It can be attended on your own or with your former partner, if he / she agrees. The appointment will last about 45 minutes (60 minutes if your former partner attends as well). Some of this time will be spent completing a financial assessment to determine whether or not you will have to pay for mediation, and if so, at what rate.

**When you or your former partner are referred to us by a solicitor as part of an application for CLS funding, the initial meeting will be free for you both.**

In all other cases, the mediator will individually assess whether you will have to pay for the initial meeting. If either you or your former partner is assessed as eligible for CLS funding, then neither of you will be charged for the initial meeting.

**However, if both you and your former partner are not eligible for CLS funding, we will charge £40 per person for the initial meeting.**

### **MEDIATION MEETINGS**

If after the initial meetings you and your former partner decide that you would like to proceed with mediation, a first joint mediation appointment will be arranged. If you are eligible for CLS funding, you will not be charged for this or for future mediation appointments.

If you are not eligible for CLS funding, you will be charged a fee per session according to the sliding scale of charges, as shown on the reverse side of this sheet. A mediation 'session' can last up to 1 ½ hours.

If you are not eligible for CLS funding, but your financial circumstances change, your eligibility for free or reduced cost mediation can be reassessed at any time during the mediation process.

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### **Confidentiality**

Mediation is a confidential process. We will not give information to your legal or other advisers, or to any other third parties, without obtaining your joint permission. However, there are two exceptions to this confidentiality.

The first would be where you are any other person (most particularly a child) is at risk of serious harm. In these exceptional circumstances, we would take the necessary action to safeguard/protect the child or adult concerned, in line with the Family Mediators Code of Practice.

The second is where we are required to make disclosure to the appropriate government authorities under the Proceeds of Crime Act 2002, and/or the relevant money laundering regulations.

The Legal Services Commission (LSC) has a contract with us, and from time to time checks our publicly funded mediation work. However, the LSC is also bound by confidentiality.

### **File Storage**

We will return to you any original documents requested during mediation.

Mediation files are securely stored at the FMW office for no less than 3 years from the conclusion of the case.

We store client information on our computer and are registered under the Data Protection Act.