

Family and Child Mediation - A Fact Sheet

What is mediation?

Mediation is an alternative way of resolving disputes where the parties sit down together and, guided by mediators, negotiate a practical and fair solution to their problem. It gives everyone the opportunity to tell their side of the story, define issues, consider options, and settle on a solution that suits the parties. Mediation is guided by experienced and professionally qualified mediators. They're impartial and don't give any advice or make any decisions for the parties; they're there to help parties focus on the best way forward.

If mediation is successful, the result is a mutual agreement that is written in the parties own words. This isn't legally binding, but it can be used as a basis for court applications.

How does mediation help settle property disputes?

Our family mediators have many years of experience in mediating disputes over property and finances. It's a good idea to get legal advice before trying to reach a property settlement – that way, you'll go into a mediation aware of your options and your legal rights and responsibilities so you can make informed decisions.

How does mediation help settle parenting disputes?

Separation may end a relationship between partners, but your relationship with your children continues – just in a different form. Our family mediators place a lot of emphasis on helping parents to reach an agreement that's in the best interests of their children.

They'll also explain "equal shared parental responsibility", which means that both parents have an equal role in making decisions about the important issues that affect their children like their education, healthcare, and emotional wellbeing.

We'll discuss how equal shared parental responsibility can work for the parties, and help them formulate the best possible parenting plan that's unique to them as parents.

How does mediation proceed?

Once the parties have agreed to mediation, we'll book a separate pre-mediation interview for each party. This is an opportunity for you to tell your side of the story without the other party there. It's also a good time to ask any questions or raise any issues you're unsure about.

The mediator will explain how mediation works so you're fully prepared. If care arrangements for your children need to be worked out, you'll be given a parenting plan checklist to help you address the important decisions you have to make about that.

After your pre-mediation interview, we'll complete an assessment of suitability for mediation. If mediation proceeds, we'll book a mediation appointment for both parties to attend together, in the presence of our mediators. We use a co-mediation model with two mediators to make sure the process is balanced and unbiased.

How much does family mediation cost?

- Pre-mediation interview: \$75 per party
- Parenting matters: \$125 pp per appointment
- Property settlement: \$150 pp per appointment
- Parenting matters and property settlement: \$200 pp per appointment

Need Advice? Call Citizens Advice Bureau on **(08) 9221 5711**, or visit **www.cabwa.com.au**



Disclaimer: This document is provided by Citizens Advice Bureau and is intended as a guide only. This information may not be appropriate to your specific situation and you should seek independent legal advice for your individual situation. Published April 2022.