

familymediation

We're splitting up



www.familymediationhelpline.co.uk

Tel: 0845 60 26 627

Tracey's Story

“ When Jon left I thought it was the end of the world. I was totally devastated. I'd just had Amber, and had no idea how I was going to bring up a baby on my own. My mum could watch her for a few hours but there was no way she'd be able to look after Amber long enough for me to go out to work. Jon kept saying he wanted to come round and see Amber but, whenever I asked him for any money for her, he'd back off. Mum thought I should go and see a solicitor, but I didn't think I could afford it. I didn't know what to do.

My cousin said he and his ex-wife had gone to a local family mediation service. He thought you could have a meeting with one of the mediators there for free to talk about what mediation involved before deciding whether or not to go ahead with it. He gave me the number and eventually I plucked up the courage to make an appointment.



The mediator said she thought mediation could be useful for me and Jon but that I should get some legal advice as well. I told her I couldn't afford it but she checked my income, and told me I could get legal aid for the mediation and some legal advice. She even gave me a list of local family solicitors to call and suggested I go along to my local CAB to find out whether I could get some extra benefits to help out with the rent now I was on my own.

We started mediation not long after. It wasn't easy, but we did manage to agree on things – even about the money. Weirdly, it was probably the most “

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Introduction

Splitting up with your partner can be a very difficult time. Even if you manage to part on good terms, which few of us do, it can still be hard to cope with all the changes that will be happening in your life. You and your ex will have to make some difficult decisions about the future and, at some stage, this is likely to draw you into the legal process.

If it's all too stressful at the moment, don't panic. Our guide sets out the issues you need to think about and explains your rights. It takes you step-by-step through the different processes you can use to make arrangements for the future. There's also a jargon buster and checklists to guide you through your first meetings with mediators and solicitors.

You can use this guide whether you're married, in a civil partnership, or splitting up with a partner you've been living with.

What you need to sort out

These are the main issues you need to think about after a split:

- your children
- your home
- your finances
- other property.

Your children

You'll have to try and decide who your children are going to live with ('residence'). It might be very clear to both of you who this should be. But if you both want to look after the children, it can be very difficult to reach an agreement. Both of you will probably be worried about what will happen to your relationship with your children if they don't live with you. But that relationship will be better off in the long-run if you can put your own concerns to one side and focus on what's best for your children.

If your children won't be living with you, you'll need to work out when and where you're going to see them, or how you can stay in touch with them in other ways, like phone calls, letters and presents ('contact').

If you're an unmarried father, check whether you have parental responsibility for your children (see our guide, 'Parental responsibility for fathers' at www.advicenow.org.uk/livingtogether).

You'll also need to figure out how you're going to divide the costs of bringing up your children between you. All parents (either by birth or adoption) are financially responsible for their children. The parent the children live with will obviously pay for their day-to-day living expenses so, if you don't live with your children, you should contribute by paying 'child maintenance'.

Your home

If you're married or in a civil partnership, the law will treat your home and each of your savings and possessions as 'family assets', belonging to both of you rather than one or the other. When you separate, you'll each be entitled to a 'fair share' of these 'family assets'. The law decides what is 'fair' according to a number of different issues (for more information, see our guide, 'Divorce – a survival toolkit' at www.advicenow.org.uk/divorce).

If you have been cohabiting, you may have very limited rights. The law does not think of your home, savings and possessions as family assets so, on separation, they'll be kept by whichever of you owns them.

For more details on the rights of cohabiting couples, see Advicenow's LivingTogether Campaign pages at www.advicenow.org.uk/livingtogether.

Your living arrangements and finances can be a real problem after a separation. Your joint income, which might have been just about enough to pay the rent or mortgage on your home, now miraculously has to stretch between two households. It doesn't take a genius to work out that it's going to be pretty stressful sorting this out.

The first thing you need to decide is where you're both going to live. Often couples who own their own home agree that the parent looking after the children should stay there to keep disruption of their children's lives to a minimum, while the other moves out. This doesn't necessarily mean that the parent moving out will

give up any share they have in the home – just that they won't be living there or trying to sell it for the time being. Sorting out ownership of the home is a separate issue for you to think about.

Unfortunately, you may not have this luxury. You might be forced to sell your existing home to be able to afford accommodation for both of you.

If you rent your home, check out the terms of your lease – does the landlord have a right to terminate the tenancy if one of you moves out? How quickly can you act – can you end your tenancy now or are you locked in for a few more months?

Housing law is very complicated. Whether you rent or own your home, you must get legal advice from your local housing advice agency, Citizens Advice Bureau or solicitor.

For more information on the housing issues affecting cohabiting couples see our Housing & LivingTogether guide at www.advicenow.org.uk/livingtogether.



Your finances

If you're struggling for money after a separation, don't panic. You might be entitled to benefits or other financial help, particularly if you have children. Look for your local Citizens Advice Bureau or other advice agency on the Community Legal Service Direct website at: www.clsdirect.org.uk/index.jsp or telephone their helpline on: **0845 345 4345** and make an appointment.

If you're married or a civil partner, you may be able to claim maintenance payments from your partner. But be aware: these days, courts often only make maintenance orders for a fixed number of years, to help partners who have given up work to get back into the job market.

Cohabiting couples have no rights to maintenance payments for their own benefit unless they have made an agreement about this. But they will, of course, have a duty to financially support their children.

If you can't repay debts, get some urgent advice – you don't want to end up with legal action over these as well. The National Debtline offers confidential advice on the phone on: **0800 731 7973**, and online at: www.national-uk-debtline.co.uk/.

Other property

Try and work out between you how you are going to share the rest of your stuff – like the furniture, car and pets. Legal disputes over these can cost more than the value of everything you're fighting about.

How you can sort things out

You could decide what to do about your children, home and finances between you and put the arrangements in place yourselves. It is even possible to do your own divorce/dissolution, although it's a good idea to have some legal advice first (and we certainly wouldn't recommend this if you have children and/or complicated finances!).

But sitting down and discussing things with your partner at such a stressful time is easier said than done. If you're too angry or upset to face your partner, particularly over issues on which you might not see eye to eye, you'll probably need a helping hand.

Some couples find they're able to talk to each other about practical arrangements with the help of a mediator. Some will not want to face each other like this and will get solicitors to negotiate the arrangements for them. Others will never manage to reach an agreement and will have to let the courts decide for them. This section of the guide explains the role of mediators, solicitors and the courts in the separation process.

Mediation

Mediation brings you and your partner together for a series of face-to-face discussions to help you agree on arrangements for the future. The discussions will take place with a mediator, who is trained to help you start communicating again – to help you put your feelings aside and focus on the practical issues that need to be sorted out.

Mediators are neutral – they will not take sides. They can give you information about how the law works when couples separate, but can't give you any legal advice about how the law applies in your case. You should get some legal advice from a solicitor at some stage during the mediation process – certainly before you reach a final agreement.

At your first meeting, the mediator will ask for details about your situation and discuss with you whether mediation might be suitable in the circumstances. You can choose whether to have this initial meeting together or separately (see page 9 for tips on how to prepare for this meeting). If you both decide to go ahead with the mediation, you



'FACE-TO-FACE' MEDIATION

will usually have between one and six sessions with the mediator, each lasting between one and two hours. During these sessions, the mediator will help you to:

- list the issues you can't agree on
- look at the different options you have for resolving each issue
- think about which options are most likely to work for you in practice
- reach a final agreement.

At the end of the mediation sessions, the mediator will put together a document setting out your agreement in writing. Different mediation services give it different names but it will usually be called either a 'memorandum of understanding' or a 'statement of outcome'. This can go into a lot more detail about the practical side of the arrangements than solicitors or the court. Agreeing who's going to pick who up from where at what time can sometimes make the difference between what works and what doesn't.

If you are not on legal aid, a mediator will usually charge you per hour or per session, plus extra for preparing the written agreement. Expect to pay for each meeting as it takes place.

If you are on a low income and only have limited savings, you may be able to get legal aid to cover both: your mediation costs, and the legal advice you get alongside it. You will not have to pay this back. This could save you a lot of money. Ask your mediator about legal aid or check online using the CLS Direct Legal Aid Calculator at:
www.clsdirect.org.uk/legalhelp/calculator.jsp.

How to find a family mediator

- **Call the National Family Mediation Helpline on: 0845 60 26 627, or visit their website at www.familymediationhelpline.co.uk**



You can talk to helpline staff about family mediation, discuss whether it might be right for you, and get details of your local mediation services.

- Ask any friends who have also been through a break-up whether they would recommend the mediator they used.

If your partner has been violent or has abused you or your children, the first thing you should do is get some legal advice from a solicitor about how to keep yourself and your children safe (see page 5 for information on how to find a solicitor). If you need help immediately, call the police – dial 999.

Whether you're living with your partner or living apart but still in danger, your adviser will be able to tell you what options you have and can help you apply to court for protection. This will usually be an 'injunction', which could either decide living arrangements for you in the short term (for example by requiring your partner to leave your home or stop them coming within a certain distance of your home), or stop your partner from harassing or assaulting you.

An 'injunction' is an order made by a court either stopping someone from doing something or requiring someone to do something. If that person breaks the injunction, they could be sent to prison.

Solicitors

Unlike mediators, solicitors are not neutral. Your solicitor will take your side, so you and your partner will need to find separate solicitors.

A solicitor can help you in a number of different ways:

- You can get advice from a solicitor on what rights the law gives you and your partner on separation and what options you have for enforcing those rights. If you have been to mediation, you should see a solicitor for some legal advice before getting your mediator to put your final agreement in writing.
- If you want to make sure that your partner will be required by law to stick to the terms of your written agreement, you can get your solicitor to turn it into an order and ask the court to approve it. You will both have to agree to this.
- If you don't think you and your partner can agree on arrangements through mediation, your solicitor can negotiate with your partner's solicitor to reach an agreement for you.
- If this doesn't work, your solicitor can ask a judge to make the decisions by making an 'application to court'. If you are divorcing/dissolving a civil partnership, you'll have to make an application to court for the

divorce/dissolution whether or not you can agree on the practical arrangements.

- You can still reach your own agreement after you have made an application to court. In fact, the court will encourage you to keep trying. But if your case does end up in court, your solicitor will be able to explain your circumstances to the judge and argue for what you want. Or they might arrange for a barrister to do this for you. A barrister is simply a lawyer that specialises in presenting cases to a judge. This is usually called 'legal representation'.

Many solicitors will offer you an initial half-hour meeting either for free, or at a reduced rate (see page 10 for tips on how to prepare for this meeting). At the meeting, they will ask for details about your situation and follow it up by sending you a letter, called an 'engagement letter', confirming: what work they'll need to do, how long it is likely to take, an estimate of how much it will cost and an explanation of their complaints procedure. Don't be embarrassed to ask about anything in it that you don't understand or don't agree with before signing. Your solicitor should contact you regularly to ask you for instructions whenever decisions need to be made and keep you up-to-date with progress on your case.

Solicitors charge by the hour for all the time they spend on your case, including talking things through with you on the phone, so bear this in mind if there is a lot you want to discuss. If you are not on legal aid, they should send you regular bills for their work and you will probably have to pay a large sum of money at the start to cover a proportion of these costs. This is called 'money on account of costs'.

You may be able to get legal aid to cover your solicitor's costs if you are on a low income and only have limited savings. But be aware that this will need to be paid back if you end up with money or a house as a result of the separation. Speak to your solicitor about it.

How to find a family law solicitor

- Find your nearest family law solicitor by visiting Community Legal Service Direct at: www.clsdirect.org.uk or calling **0845 608 1122**.
- Ask any friends who have also been through a break-up whether they would recommend the solicitor they used.
- Find your nearest Resolution member by visiting the 'Find a Resolution member' section of their website at: www.resolution.org.uk/find_member.php. Its member solicitors work in a way that will encourage you and your partner to put your differences aside to reach a fair agreement. Many members are also mediators.
- Find your nearest member of the Law Society Family Law Panel by visiting the 'Find a solicitor' section of their website at: www.solicitors-online.org.uk and clicking on 'more search options' in the search box. The Law Society is the body that regulates solicitors in England and Wales. Solicitors on the Family Panel have their knowledge and experience of family law checked by the Law Society.

Collaborative law

Collaborative law is a bit like a mix of legal advice and mediation. You and your partner will have a series of face-to-face meetings to try and sort everything out but, instead of a neutral mediator, you will each be helped at the meetings by your own legal advisers. You can't get legal aid to pay for collaborative law.

Collaborative law is fairly new to this country and at the moment there are not many lawyers qualified to practise it. They are mostly based in the south of England. You can find a collaborative lawyer in your area by looking at the 'Directory of members' on the Collaborative Family Law Group website: www.collabfamilylaw.org.uk



Calvin's story:

We'd been going to mediation for the past few weeks. I thought we were nearly there. I said I'd pay something towards Tani's mortgage as the children were going to live with her. We'd even worked out when I'd get to see the kids. But then she said it would all change if I moved in with my new girlfriend. I started to worry whether I could trust her to let me see the children when we'd agreed.

The mediator had written down what we'd decided so far, so I took it to show my solicitor. She seemed to think it was a pretty reasonable deal, but said I should get Tani to agree to have it turned into a court order – that way, if Tani didn't keep her side of the bargain, I could get the court involved. Fortunately, Tani was OK with it – I think she wanted to make sure she got her mortgage money.

Court

If you're divorcing/dissolving a civil partnership, this will be dealt with by the court. If you and your partner agree to the divorce/dissolution and have reached an agreement about arrangements for the children and your finances, you won't need to appear in court. The whole thing will take place on paper, with details of the arrangements you have made for your children and finances being sent to court for the judge to approve. Most people will use solicitors to make the applications to court but, where you are both in agreement like this, it is possible to do it yourselves. You should still get some legal advice before you do this.

If you can't reach an agreement over your children and finances (either through mediation or your solicitors), you'll have to ask the court to make a decision for you. The judge will encourage you to keep trying to reach your own agreement. They may even have a break during the court process to give you time to try mediation, particularly if the dispute is about your children (see next section on CAFCASS). But in the end, if this doesn't work, the judge will make a court order setting out the arrangements for you.

Courts stock several leaflets about family law, as well as legal forms. You can also download these from the Court Service website:
www.hmcourts-service.gov.uk.

CAFCASS

CAFCASS stands for the Children and Family Court Advisory and Support Service. If one of you has made an application to court because you can't agree about arrangements for your children, the court will usually ask a CAFCASS officer to help. CAFCASS officers, often called Children and Family Reporters (reporters in short), are independent of the courts.

The reporter is likely to meet with you and your partner first of all to see if you can reach an agreement. Some offer a form of mediation, either at court or in their own offices. If no agreement is possible, the court will ask the reporter to write a report saying what they think will be best for the children. The judge will take this into account when making an order about the children's residence or contact.

To produce the report, the reporter will talk to you and your partner, either separately or together, about what you want to happen. They will also talk to your children about their wishes and feelings. They may even contact other relatives, the children's teachers, your family doctor, health visitors and social workers to get their views. The report will be sent to your solicitor if you have one, or directly to you if you don't, so you know what it says before you go to court. If you don't agree with what the reporter writes, tell them – you should also tell your solicitor, or tell the judge when you get to court.

Nobody's ever asked me before what I want!



CHILDREN AND FAMILY REPORTERS HAVE A WIDE BRIEF.

'CAFCASS' stands for the Children and Family Court Advisory and Support Service. If one of you has made an application to court because you can't agree about arrangements for your children, the court will usually ask a CAFCASS officer to help by providing mediation or writing a report for the court about your children's needs.

CAFCASS officers are sometimes called Child and Family Reporters and sometimes called Court Welfare officers.

You can find more information on the CAFCASS website:

www.cafcass.gov.uk

Sahla's story

I knew from the start it would be impossible to agree over the children. Rabi wanted to take them back to Bradford so his mother and sisters could look after them. But I'd always looked after the girls – he never did a thing for them. And anyway, we'd been living in Hayes for nearly two years. Both my daughters had made friends here. I just didn't think they should be disrupted, after everything they'd been through.

We did try mediation, but he brought his mother with him. The mediator wouldn't let her into the room with us, but she sat out in reception and he wouldn't compromise at all – he wouldn't dare, with his mum outside.

After that failed, he went to court asking for a residence order. On the first day we went, the judge asked us if we'd like to try mediation. I said we had, but got nowhere. So she said she'd ask a reporter to investigate. I got a bit nervous about this – I didn't want all our personal lives in the local paper – but my solicitor explained that she meant a 'Children and Family Reporter' from CAFCASS.



The reporter was very nice – he spoke to me about our lives, had a chat with the girls, and even went to talk to their teachers after school. I know he went to visit Rabi too, and talked to his mum and sisters. A couple of months later my solicitor phoned to say he'd had a copy of the CAFCASS report, and it recommended that the girls should live with me, and have at least two holidays a year with their dad and his family. At the court, the judge agreed with this, and suggested we should go back to mediation to talk about how to sort out the holidays. Without his mother, I hope.

Mix and match

There are many different routes to working out the way forward after a separation. Different couples will sort things out in different ways – whether they go to mediation to help them agree on arrangements themselves, get solicitors to negotiate an agreement for them or never manage to reach an agreement and have to get the court to make the decisions. But mediation, solicitors and the courts are not necessarily alternatives – many people will use some or all of these at different times for different purposes.

Tracey and Jon (front page) went straight to mediation to help them agree on Jon's contact with Amber and to sort out their financial arrangements. But they also each went to see a solicitor for some legal advice.

Calvin and Tani (page 6) wanted a solicitor to turn the agreement they had reached in mediation into a court order.

Other couples start off by going to see a solicitor. Sahla and Rabi (above) wanted solicitors to negotiate

everything for them but, as their solicitors explained, you have to consider trying mediation before you are able to get legal aid for this.

Sahla and Rabi weren't able to reach an agreement at all and ended up in court. The judge made a court order but suggested they have another mediation session to sort out the detail of how they would put the court order into practice.

TOP TIPS

If you are on legal aid, it is definitely cheaper to use mediation than to get a solicitor to negotiate for you. Legal aid for mediation (and the legal advice you get alongside it) does not need to be paid back. But legal aid to pay for a solicitor to negotiate for you or take the matter to court may have to be.

Mediation can be particularly useful if you have children because it helps you to start talking to each other again. And the more comfortable your relationship is with your ex, the easier the separation will be on your children.

If your ex has been violent to you or your children in the past, mediation may not be safe or sensible. Get legal advice about how best to protect you and your children. If you still want to think about mediation, you can ask to have an initial meeting with a mediator on your own to talk about how mediation works, and whether it is suitable in your situation.

Checklists

Choosing a mediator

You can get contact details for local mediators by calling the National Family Mediation Helpline on 0845 60 26 627 or visiting their website at: www.familymediationhelpline.co.uk.



If there is more than one mediation provider in your area, you will need to choose one. We've produced a checklist of the questions you might want to ask them to help you decide.



● **Do you take legal aid cases?**

Not all mediators do – but if you think you'll qualify for legal aid, mediation will be free, so it's well worth checking.

● **How much do you charge? Does this include VAT?**

If you don't qualify for legal aid, you will have to pay for mediation. Mediators charge either per hour or per session. Some have a fixed charge, and some offer reduced rates depending on your income.

● **Is there a waiting list?**

● **Can I have my first meeting with the mediator on my own?**

You might want to do this if there are things you want to talk to the mediator about privately, especially if your partner has been violent with you.

● **What professional backgrounds do your mediators have?**

Some mediators have had other professional training – as solicitors, family therapists or child specialists. Check if you think this could be useful in your particular situation.

● **Do you offer mediation sessions with children?**

Some services have mediators who are trained to work directly with children in mediation. If you think your children are old enough, and would like to be involved, check whether the service can offer this.

Your first meeting with the mediator

Your first appointment is a chance to talk to the mediator about whether mediation would be right for your particular circumstances and ask about anything you want to know. You and your partner can either go together or each have a separate first meeting – it's up to you. Here's a checklist of some of the things you might want to find out about at the first meeting.



● Do I qualify for legal aid?



If you don't know this yet, the mediator will be able to work it out for you. To do this, it's important that you take with you your National Insurance number, and evidence of any benefits you receive. You also need to take your latest payslip if you are working and you need to be able to say what your current rent or mortgage payments are and any amount you are paying for childcare costs because of work.

● How will I get my partner to come to mediation?



If you have the first meeting on your own and you haven't yet contacted your partner about trying mediation, you'll need to talk to the mediator about how to approach your partner. Do you want to speak to them directly? Or do you want the mediator to get in touch with them? Should one of you contact their solicitor?

● What protection can the mediation service offer me?



If you're a bit nervous about sitting down in the same room as your partner, how can the service help? Can you arrive at different times for the joint mediation sessions? Can you wait in separate rooms? Can you agree a signal for time out if you're feeling pressured?

● How long is mediation going to take?



How many sessions does the mediator think will be needed in your situation? How long is each session, and how frequently will they take place? How soon will they start?

● What information will I need to bring along and when?



At some stage you will need to bring along financial information about your home, savings, debts, income, and living costs. The mediator will probably give you a set of forms to fill out with this information and bring with you to the following session – check when this is likely to be, and what you'll need to find out to complete them.

● How do we arrange the next mediation session?



THE MEDIATOR WILL HELP YOU...

Choosing a solicitor

If there is more than one family law solicitor in your area, you'll need to choose which one. We've produced a checklist of the questions you might want to ask them to help you decide.



● **Do you take legal aid cases?**
If you think you'll qualify for legal aid, don't forget to check, because not all solicitors do.

● **What are the hourly charges of the solicitors who are likely to deal with my case? Does this include VAT?**
If you don't qualify for legal aid, you will have to pay for your solicitor. It may be that, at different times, more than one solicitor from the same organisation will work on your case. The more senior the solicitor is, the more they will charge.

● **Are the solicitors who are likely to deal with my case members of Resolution?**
Resolution is an association of lawyers who deal with family disputes. Their members follow a code of good practice, requiring them to work in a way that will encourage their clients to put their differences aside and reach a fair agreement.

● **Will you be happy to take the case if I also choose to use a mediator?**
Not all solicitors recognise the value of mediation, which may make life difficult if you are keen to try it.

● **What should I bring with me to my first meeting?**
At some stage you will need to provide your solicitor with financial information (about your home, savings, debts, income, and living costs) and any relevant legal documents (such as your marriage certificate and any letters from your partner's solicitor). The more information you can take to the first meeting, the more the solicitor will be able to advise you about straight away.



Your first meeting with your solicitor

At your first appointment, your solicitor will try to find out as much as they can about your particular situation and the issues that need to be resolved. But it is also your opportunity to ask your solicitor anything you want to know about how they will deal with your case. Here's a checklist of some of the questions you might want to ask at the first meeting.

● **Do I qualify for legal aid?**
If you don't know this yet, your solicitor will be able to work it out for you. To do this, it's important that you take with you your National Insurance number, and evidence of any benefits you receive. You also need to take your latest payslip if you are working and you need to be able to say what your current rent or mortgage payments are and any amount you are paying for childcare costs because of work.

● **How much is my case going to cost? Does this include VAT?**
Your solicitor should be able to give you an estimate of how much the whole case should cost fairly early on. This estimate may change if the circumstances change but your solicitor should keep you up-to-date with costs. You can ask them to let you know and stop work temporarily if they reach a certain amount.

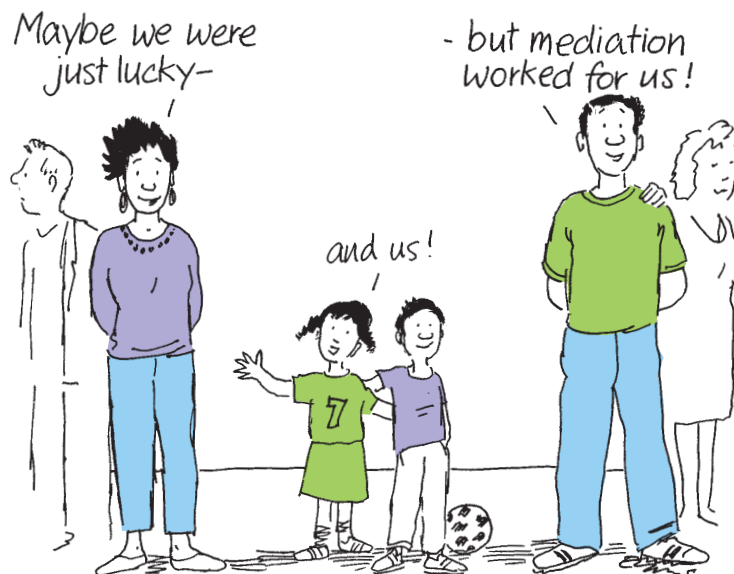
● **Will you be dealing with my case?**
Will the solicitor you have your first meeting with be the only person dealing with your case, or will there be more than one? What are the contact details for everyone responsible for your case?

● **How long is my case likely to take?**

● **What will you do next and when and how will you contact me?**

Jargon buster

The jargon	What it means
CAFCASS	CAFCASS stands for the Children and Family Court Advisory and Support Service. If one of you has made an application to court because you can't agree about arrangements for your children, the court will usually ask a CAFCASS officer to help by providing mediation or writing a report for the court about your children's needs. CAFCASS officers are sometimes called Child and Family Reporters and sometimes called Court Welfare officers.
Child maintenance	Money payable by the parent the children do not live with to the parent they do live with to help cover the children's living expenses.
Children and Family Reporter	A CAFCASS officer.
Civil partners	A same-sex couple who have entered into a civil partnership.
Cohabitants	Couples who have been living together who are not married or civil partners. It includes both male/female and same sex couples.
Contact (the new word for "access")	When and where a child can see a parent they don't live with or another adult (such as a grandparent), or have contact with them in other ways, such as phone calls, letters, presents.
Court order	An official decision by a court.
Dissolution	How a civil partnership is ended. In nearly all respects it is the same as a divorce.
Injunction	An order made by a court either stopping someone from doing something or requiring someone to do something. If that person breaks the injunction, they could be sent to prison.
Legal aid	A government scheme to help people with low income and limited savings to pay for legal advice, assistance, mediation and representation.
Memorandum of understanding/ statement of outcome	A document put together by your mediator at the end of the mediation sessions, setting out your agreement in writing.
Money on account of costs	A sum of money paid to a solicitor at the start of your case to cover part of its cost.
Parental responsibility	All the rights and duties that go with being a parent. All married parents have parental responsibility for their children. If you are not married, only the mother has it automatically, but an unmarried father can get it in a number of different ways.
Residence (the new word for "custody")	Who a child is to live with.



This guide is one of a series produced by Advicenow's Family Mediation campaign.

The Family Mediation campaign aims to increase awareness and understanding of family mediation during the divorce and separation process and in resolving other family problems.

We provide information and practical help on:

- What mediation is
- How it works
- How it fits in with using solicitors and the courts
- How to make the most of family mediation.

The Family Mediation campaign is funded by the Department for Constitutional Affairs.

For more information about family mediation, see www.advicenow.org.uk/familymediation

Written by Antonia Murfin and Val Reid, with material from Imogen Clout. August 2006.

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The Family Mediation campaign applies to England and Wales only. The law is complicated and every case is different. Always get advice.

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To find out about your local family mediation providers, give the Family Mediation Helpline a call on:

0845 60 26 627

or visit their website at:

www.familymediationhelpline.co.uk

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