

WACE MORGAN

FAMILY MEDIATION SERVICE

FEEES FOR MEDIATION

Mediation Information and Assessment Meetings - MIAMs

Your first meeting with a Mediator will be for you to find out more about mediation, to consider your options and for us to decide together whether resolving issues through mediation is the right way forward for you. It is also to assess whether or not you will be entitled to legal aid for mediation. If you or your former partner are eligible for legal aid, the cost of both assessment sessions will be paid for by the Legal Aid Agency.

If neither you nor your former partner is eligible for legal aid we will charge you for the assessment meeting and to provide the form required by the Court if mediation is not suitable. That charge will be £100 including VAT each. **We must receive that sum from you at or before the meeting, and we cannot issue the Form without payment.**

In order to be assessed for legal aid, you **must** bring with you to the meeting:-

- (1) current evidence of any benefits that you are receiving such as income support, tax credits and child benefit
- (2) evidence of your income such as your most recent wage slips
- (3) current evidence of any rent or mortgage that you are paying
- (4) current evidence of any child care costs that you are paying
- (5) current evidence of any savings or other assets that you may have including Bank statements
- (6) details of the value of your house and current outstanding mortgage
- (7) if you are living with a partner you must bring similar evidence for them – this is just to assess your legal aid and information will not be disclosed to your former partner

If you do not bring up to date documents with you we will have to charge you for the meeting.

Legal Aid for Mediation

If you are entitled to legal aid, the Legal Aid Agency will pay all your costs of mediation and you will not have to repay those costs, or contribute towards those costs.

For your information, the standard fee that the Legal Aid Agency will pay us for your share of the mediation costs including all preparation, is a maximum of £604 including VAT. If the issues to discuss at mediation only involve your children, and not financial matters, the Legal Aid Agency will pay your share of the costs of a maximum standard fee of £352 including VAT.

If you are entitled to legal aid, and proceed to mediation, you will also be entitled to Help with Mediation – this is advice and assistance during the mediation process from a Solicitor who has a contract with the Legal Aid Agency. We can provide the form CW5 to enable a Solicitor to advise you with the benefit of legal aid.

Private Mediation Fees

If you are not entitled to legal aid, there will be a charge for mediation. We charge at the rate of £110 per hour plus VAT for each person not entitled to legal aid. Therefore a 1½ hour session would cost you £198 including VAT.

However, if your former partner is covered by legal aid, the Legal Aid Agency will pay for the first mediation session for you both. The only charge that we will make to you for that first session will be to prepare documents relating to an agreement between you. This is likely to be in the region of £110 plus VAT.

The preparation of the Open Summary and Summary of Proposals will be charged at the hourly rate. This is likely to involve up to an hour's work. Two sessions and preparation of summaries may cost about £600.

In addition to the time spent in each session we may charge for other work at the same hourly rate such as:-

- consultation with other professionals - document review and interpretation
- lengthy telephone conversations - travel time and expenses
- preliminary and temporary agreements.

We will discuss and agree with you any such time to be taken which would incur a charge.

We will send you an invoice following each mediation session and we ask that you pay the fees due promptly on receipt of the invoice. We may decide to withhold the final documentation until receipt of full payment of your costs.

We do reserve the right to charge a cancellation fee if a joint meeting is cancelled at short notice (within 24 hours) or if you do not attend a joint meeting that has been arranged.

Comparison with legal costs

The legal cost of dealing with the matter entirely through the Courts varies from case to case. Your Solicitor will be able to give you an indication of likely costs. It would be fair to say that a contested application dealt with through the Courts could easily cost in excess of £6,000 for each person.

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