

For most people, the decision to separate and leave a relationship or marriage can be the beginning of a long and difficult process. People may experience distress, confusion and chaos as the consequences from this decision unfold.

How can Family Mediation help me and my family?

Family mediation is designed to bring clarity and structure to families. Through the family mediation process arrangements in relation to children and finances can be discussed and resolved through the family mediation process.

Although it can be difficult to think about what life may look like after separation, mediation brings structure to that process by asking both you and your former partner to look forward.

Family mediation is focused on facilitating both you and your former partner, and the family as a whole to move on in the most constructive manner possible. Family mediation is not counselling and it is not therapy.

If there are children then family mediation can help both of you to create a new structure for how the family will function in relation to communication, scheduling, and boundaries. If there are no children, then family mediation can assist both of you to find respectful closure.

The next pages explain what happens before, during and after family mediation.

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I am focused on working with people who seek to resolve their disputes in a constructive and respectful way.

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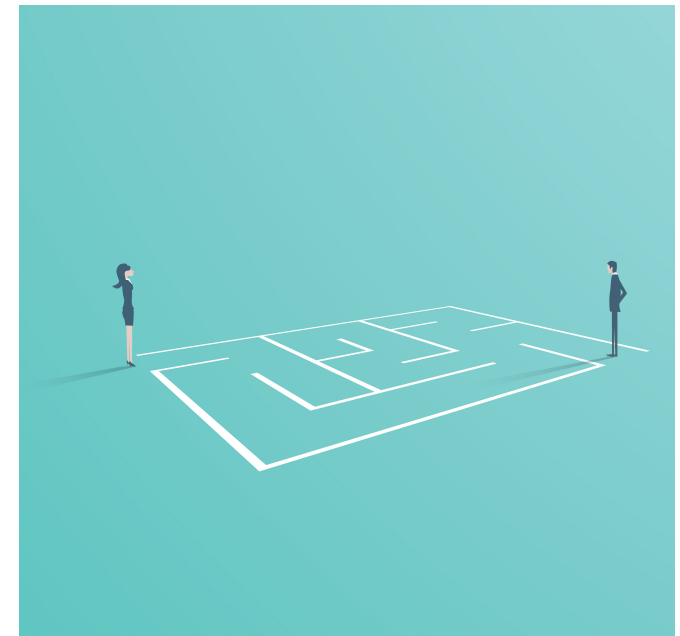
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Family Mediation

Before, during and after



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Before family mediation:

- **Considering family mediation** - you may receive information from a counsellor or solicitor about family mediation as an option for your separation. A mediator will be happy to discuss with you the nature of the process (e.g. intake through to mediation agreement through to Court order) so that you can make an informed choice about whether this will be right you and your family
- **Finding a mediator** - when considering a mediator, you may receive a recommendation (e.g. from your solicitor, a friend or counsellor). It is important that you and your former partner both feel comfortable with the mediator that you select. You may also wish to consider the mediator's training, experience, availability and cost. A preliminary call with a mediator can also be valuable in helping you to understand more about their approach and how they manage the mediation process.



During family mediation:

- **Intake** - the first step in family mediation is for each of you to meet the family mediator for an intake meeting. This is an individual meeting with the mediator and gives you an opportunity to tell the mediator about your perspective on the context of the separation, the issues that need to be resolved and your goals.
- **Mediation sessions** - the mediation session begins with both you and your former partner identifying the issues that need to be resolved and your goals. The mediator will create an agenda. You will both agree the order in which to discuss the issues. The mediator will then lead the conversation through each point. At the end of a session, the mediator will provide a summary with any 'without prejudice' agreements / proposals and which sets out any homework. Mediation is a confidential process and any offers / agreements prior to a final mediation agreement are without prejudice, which means they cannot be shown to the Court if you fail to agree in the end.
- **Reaching agreement** - when you and your former partner have reached agreements, the mediator will draft these terms in a mediation agreement. You always have time to consider the draft and seek any legal advice before signing. Once you and your former partner confirm you accept the draft, the mediator will prepare a final copy of the mediation agreement for you to both sign.

After family mediation:

- **Legal formalities** - the signed mediation agreement can be used by your solicitor to prepare the Consent Summons. The Consent Summons will turn the agreements you have made into orders and undertakings for the Court to consider. If approved the Court will grant a Consent Order. Your solicitor will be able to provide you with legal advice and guidance in relation to this process.

Reviews and follow-up:

In general, once the Consent Order is completed the family mediation process is over. However, some reasons why you might choose to get back in touch with the mediator such as:

- **Reviews about children** - it may be a good idea to include reviews in your agreement. For example, if you have very young children then as they age and develop you and your co-parent may wish to adapt your arrangements. This review may be between you and your co-parent or you may wish to provide for reviews to be conducted in mediation.
- **Bumps in the road** - it is not unusual for people to hit a bump in the road. For example, co-parenting as former partners can be challenging. In family mediation, it may be helpful to exchange emails or do a quick call with the mediator to get things back on track.