



MEDIATE YOUR WAY TO FAMILY LAW SOLUTIONS

Mediation is a way to get a comprehensive, effective and cheap solution for Family Law issues that are in dispute.

It is swift, can achieve a range of results that often cannot be achieved in court, and can enable the parties to move forward with their own lives, comfortable in the knowledge that they have a solution which is in the best interests of their children, in their own best interests, and is a solution with which the parties can each live.

Why mediate and not litigate?

The Family Law Act requires parties to undergo mediation so the law encourages parties to seek the best solution cheaply and swiftly.

Whilst the law may prescribe the ultimate/optimal solution that is achievable for each party, the costs today, of running litigation, are so high in comparison to mediation, that there is a strong incentive in money saved on legal costs, for parties to consider finding a solution with which they can live. Whilst the solution may not be optimal, it has the advantages of:

- (a) speed;
- (b) peace of mind;
- (c) removing the vindictiveness that can often set in during and in the lead up to litigation;
- (d) costs savings;
- (e) enabling the parties to focus quickly on the key issues between them;
- (f) enabling the parties to focus on the welfare of any children of the marriage.

In some cases, in the pre-mediation discussions, there is sometimes found the reasons why the marriage failed with some recalibration of the relationship – whilst this may not always result in the relationship being restored, it can put the post separation relationship on a much better and respectful footing, with focus not on particular issues of interest to one or other of the parties but rather on the welfare and best interests of the children of the marriage.

Consent orders can then be framed for approval by the court.

In that way, the children are put first and any concerns, fears, reservations and blame that the children may feel, can be dealt with and removed. If parents show to their children how they have arranged their affairs to ensure as much normality for the children as possible, the children are much better adjusted to the new realities of separated parents.

Revisiting mediation.

Sometimes, the arrangements made by parents in a bitter dispute, need time to be completed and the mediation process can only initially deal with the bigger items and not in the degree of detail which would ordinarily be required.

That requires the parties to revisit mediation when the 'heat has died down' so that they can come to more comprehensive and final arrangements between them. The appropriately amended consent orders can then be submitted to the court for approval.

Goodwill Relations has the experience of dealing with the above and facilitating parties through the mediation process and to 'calmer waters'. We use various means of encouraging the parties during the mediation, focussing the parties' attention to the key issues with the appropriate level of detail.

The results achieved are very heartening when seemingly intractable positions held by parties are the subject of successful compromises with which the parties are not only able to live but to do so with dignity, friendship and trust restored and where children are involved, to the betterment of the children who find comfort in the respectful and friendly collaborative parenting that their parents can then work on, leading to the children having much more comfortable lives, safe in the knowledge that their interests are being looked after.

Goodwill Relations can help you to find peace of mind when family law disputes arise.