

GODALMING FAMILY MEDIATION



Divorce and Family Mediation

By Euan Davidson

One of the biggest obstacles to starting mediation as part of a divorce or separation is the feeling that mediation is not suited to or necessary for a particular situation. Sometimes there will be particular issues that make a case unsuitable for mediation, including when there are safety risks or allegations of illegal financial transactions. Other times, both parties might feel that they are able to sit around the kitchen table and work out their own agreements. It is also possible that one or both parties will have solicitors who are advising against considering mediation.

Whatever the reason might be for not fully exploring mediation as an option, it is invariably worth the time and energy required to pick up the phone or to write an e-mail in order to explore whether there are any issues that have been overlooked and to clarify whether the initial impressions of the mediation process are correct.

It is important to avoid seeing mediation simply as a way to try to repair situations where the parties are no longer communicating or as a last resort before court action. Whilst mediation can certainly help in these situations, I have mediated for many separating couples who are still living together in the same home but who are looking to untangle their joint lives and finances in the most sensible way possible, as well as for many parents who have managed to temporarily set up separate homes for themselves and their children but who above



all else want to finalise their futures in as amicable and fair a way as possible, and these are often the most rewarding cases for everyone involved. Both parties entered the process with a commitment to working together, to reducing legal costs and to trying to avoid unnecessary disputes, and this is exactly what tends to be achieved.

From my experience, mediation can be helpful for the vast majority of divorcing couples, especially when there are financial assets, such as a family home or pensions, or future income/expenditure issues to consider or when there are children's arrangements to discuss.

By committing to the mediation process, both parties will save significant amounts of money in legal fees, as well as precious time and energy, whilst ensuring that long-term, sustainable agreements are reached about all the issues discussed, including many legal and practical issues that might not even have occurred to the parties before the mediation process.

So, if you considering divorce or separation, whether or not you are still managing to communicate with your partner effectively, please contact a mediator to discuss whether mediation might be helpful for you both rather than simply assuming that mediation is not necessary or not suitable.

Please feel free to contact me if you would like to know more about the mediation process and remember that it is never too late to mediate

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