

## **Mediation information and assessment meetings (MIAMs)**

If you want to take your case to court it is a legal requirement (in most cases) to attend a mediation information and assessment meeting (often called a MIAM). The other person involved is expected to attend a meeting too but they don't have to go to the same meeting as you.

### What is a MIAM?

MIAM stands for Mediation Information and Assessment Meeting.

It is a first meeting with a specially qualified family mediator to consider whether your issues can be resolved without going to court. The mediator will provide you with information about the options available for non-court resolution, including mediation, and discuss the advantages and disadvantages with you. The meeting is confidential.

### Who can conduct a MIAM?

The mediator must be accredited by the Family Mediation Council (FMC) <https://www.familymediationcouncil.org.uk/> and you can search for one online for a Resolution mediator here: [www.resolution.org.uk](http://www.resolution.org.uk)

### Where does a MIAM take place?

Your MIAM will be held in the mediator's office or an agreed venue. They can also be conducted via online video, such as Skype, if that's the best way to hold the meeting.

### When do I have to attend a MIAM?

You must attend a MIAM before issuing an application to the family court unless one of the exemptions applies to your case. These include :

- Domestic Violence (you will need to meet certain criteria);
- Child protection concerns;
- Urgency; and
- Previous attendance at a MIAM or MIAM exemption.

The Family Mediation Council provides more information about when you don't need to attend a MIAM.

### Who will attend the MIAM?

You can either go to the MIAM alone or with your partner, if you both agree to attend together. You can choose and most couples decide to have separate meetings. If you have a meeting together the mediator will speak to each party separately at some point to make sure you are comfortable with the process and check whether there are any issues of harm or abuse.

### What happens at the MIAM?

At the meeting your mediator will:

- Provide you with information about mediation and other forms of dispute resolution, including arbitration and the collaborative process.
- Assess the suitability of mediation to resolve the dispute.
- Assess whether there has been or there is a risk of domestic violence or harm to a child.
- Signpost you to any relevant support, for example online information sources about issues arising on separation.

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### What happens after the MIAM?

If you and your partner agree to try mediation you can make an appointment for your first mediation session.

If you decide not to proceed with mediation or it is not suitable, then the mediator will need to sign the relevant court form (FM1) to show you have thought about going to mediation. This will enable you to issue your application at court.

### How much does a MIAM cost?

If you are eligible for legal aid, the MIAM will be free. Your mediator will be able to talk to you about whether you qualify for legal aid.

The mediator sets the cost of the MIAM and some may provide it free of charge. You should ask the mediator about their charges before you arrange your meeting.

In the Reading and Berkshire areas, from our research, the likely cost of a MIAM is in the region of £85 plus VAT to £160 plus VAT. The price may depend on whether or not the mediator is also a qualified lawyer.

Our key contacts at DMP for further advice and assistance on financial remedy matters and children issues are Stephanie Alderwick and Tony Roe:

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