

Legally speaking.....

Did you know?

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MEDIATION

Mediation is a process for resolving disputes without going to court. The parties in a dispute agree to meet with a mediator to settle the dispute by reaching an agreement. Both parties have to agree to go through the process of mediation to resolve the issues.

Where can I get help with mediation for family problems?

Mediation can be extremely useful in family law cases. There are provincial government programs in BC which offer mediation services to families to resolve disputes about child guardianship, parenting arrangements and child protection. They are called Family Justice Counsellors (FJC). There are also many family mediators in the private sector. You can also get the assistance of family lawyers who are mediators.

What is the focus of mediations by Family Justice Counsellors?

These counsellors work at Family Justice Centres throughout BC. They can assist families who are going through separation in working out the details of parenting arrangements and child support. They are trained mediators and are not lawyers and cannot give you legal advice. Their task is to help you and your ex to reach an agreement regarding your parenting arrangements.

They are impartial and focus on what is in the best interest of your children. Best of all, their services are free of charge. You need to keep in mind that mediation in family matters is not for everyone. If there has been violence in the relationship, then mediation is probably not suitable.

They screen for family violence, and usually will not mediate cases where there is a history of family violence.

Is the agreement enforceable in the courts?

If you settle your issues through mediation, then the agreement will be put in writing and signed by both of you. It is always recommended that you get independent legal advice before you sign the agreement. The FJC can formalize the signed agreement through a consent court order. A consent order sets out the terms of the settlement agreement, and is signed by a family court judge and the two parties. Once you have a consent order, your agreement is enforceable by the courts if one party fails to live up to the settlement agreement terms.

For More Information

Contact a **Family Justice Counsellor**. Call Service BC at: **604-660-2421** (in the Lower Mainland), **250-387-6121** (from Victoria) or **1-800-663-7867** (from elsewhere in BC).

Local North Shore centre:

North Vancouver Family Justice Centre
100-233 West 1st St., North Vancouver. To make an appointment call **604-981-0084**.

For names of private mediators in your area, contact the **BC Mediator Roster Society** (<http://www.mediatebc.com>).

Lower Mainland: 604-681-6050

Elsewhere in BC: 1-888-713-0433



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