

Family Mediation Information and Assessment Form (FM1)

Family Mediation Information and Assessment Form FM1

This form is to be used in connection with family proceedings to which Practice Direction 3A applies. It should be completed in accordance with the Pre-application Protocol annexed to the Practice Direction and be filed with the court with any application made in proceedings to which the Practice Direction applies.

Where either Part 1 or Part 2 applies, the form must be completed and signed by the mediator concerned and counter-signed by the applicant or the applicant's solicitor.

Where either Part 3 or Part 4 applies, the form must be completed and signed by the applicant or the applicant's solicitor

Part 1

- The applicant has attended a Mediation Information and Assessment meeting

Part 2

The applicant has not attended a Mediation Information and Assessment meeting because:

- The mediator is satisfied that mediation is not suitable because another party to the dispute is unwilling to attend a Mediation Information and Assessment Meeting and consider mediation.
- The mediator determines that the case is not suitable for a Mediation Information and Assessment Meeting.
- A mediator has made a determination within the previous four months that the case is not suitable for a Mediation Information and Assessment Meeting or for mediation.

Part 3

The applicant has not attended a Mediation Information and Assessment meeting because:

- A party has, to the applicant's knowledge, made an allegation of domestic violence against another party and this has resulted in a police investigation or the issuing of civil proceedings for the protection of any party within the last 12 months.

(Please attach evidence confirming the date of any civil proceedings or police investigation)

- The dispute concerns financial issues and the applicant or another party is bankrupt.
- The parties are in agreement and there is no dispute to mediate.

- The whereabouts of the other party are unknown to the applicant.
- The prospective application is for an order in relevant family proceedings which are already in existence and are continuing.
- The prospective application is to be made without notice to the other party.
- The prospective application is urgent, meaning:
 - (a) there is a risk to the life, liberty or physical safety of the applicant or his or her family or his or her home; or
 - (b) any delay caused by attending a Mediation Information and Assessment Meeting would cause a risk of significant harm to a child, a significant risk of a miscarriage of justice, unreasonable hardship to the applicant or irretrievable problems in dealing with the dispute (such as an irretrievable loss of significant evidence).

Please give details here:

- There is current social services involvement as a result of child protection concerns in respect of any child who would be the subject of the prospective application.
- A child would be a party to the prospective application by virtue of the Family Procedure Rules 2010, r 12.3(1).
- The applicant (or the applicant’s solicitor) has contacted three mediators within 15 miles of the applicant’s home and none has been able to conduct a Mediation Information and Assessment Meeting within 15 working days of the date of contact.

Part 4

- The applicant has not complied with the Pre-application Protocol and has not attended a Mediation Information and Assessment meeting for the following reason (not being a reason specified in Parts 2 or 3 of this Form).

Please state reason here:

Signed.....[solicitor for] the applicant

Signed.....mediator

Address.....