

Family Mediation Project

The Ministry of Attorney General has started a pilot project to help people find early solutions to family law problems. If you have a family law case in the Duncan, Nanaimo, New Westminster, Vancouver or Victoria registry of the B.C. Supreme Court, then you can require the other parties to participate in a mediation session. The purpose of the mediation is to settle the dispute quickly.

What is mediation?

In a mediation, a neutral person – known as a mediator – helps you to solve your family law problem in a private and safe environment. The mediator cannot tell anyone what to do. The mediator just helps people to sit down, discuss their family law problem and find solutions. If people can't agree to a solution in the mediation session, then the case can still be solved by negotiation or by going to court.

How does the family “notice to mediate” work?

If you have a family law case filed in the Duncan, Nanaimo, New Westminster, Vancouver or Victoria Supreme Court registry, then you can deliver a “notice to mediate” to the other parties in the case. It does not matter when your case started. The notice to mediate requires all the parties in a case to participate in a single mediation session. The notice to mediate can be delivered by mail or by facsimile. (See the websites below for help.)

Do I have to participate?

If you receive a notice to mediate, then you must participate in a single mediation session. However, there are exceptions. For example, you do not need to attend if you have obtained a restraining order against a party to the dispute. Also, a mediator may advise the participants that mediation is not appropriate if past violence or abuse is an issue. If you have any concerns about safety, please talk to your lawyer or mediator, call the BC Mediator Roster Society at **1 888 713-0433**, or talk to a family justice counsellor at **1 800 578-8511**.

How do I choose a mediator?

Choosing a mediator is one of the most important steps in the mediation process. All parties must feel comfortable with the mediator. You may want to talk to a number of mediators to ask about their training, experience and fees. For more information about mediators and how to choose one, you can talk to your lawyer, call the BC Mediator Roster Society at **1 888 713-0433** or talk to a family justice counsellor at **1 800 578-8511**. You can also go to these websites:

- www.mediator-roster.bc.ca/mediationinbc_process.html
- www.ag.gov.bc.ca/family-justice/help/counsellors/

How much does mediation cost?

It's important to ask mediators how much they charge. You should also ask about other costs, such as room fees. Generally, the costs of mediation are paid equally by the parties. Family justice counsellors provide mediation services to separating or divorcing parents of modest means. There is no cost for the services of a family justice counsellor. For information about the dispute resolution services provided by family justice counsellors, please go to: www.ag.gov.bc.ca/family-justice/help/counsellors/

Family justice reform

Some family law disputes need to go to a judge, but most cases are settled by negotiation or by mediation before they even get to court. Justice reform is about early solutions, faster justice and less expense. The family mediation project is based on a recommendation made by the Family Justice Reform Working Group to encourage people to settle their disputes early, through negotiation or mediation, before going to court. More information about the recommendations of the working group is available at: www.bcjusticereview.org/.

Contact Information

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www.mediator-roster.bc.ca/

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