



Phone & Videochat  
or Face-to-Face

# Northern Frontiers Services Property Mediation Brochure 2022

**No Long  
Waitlist**

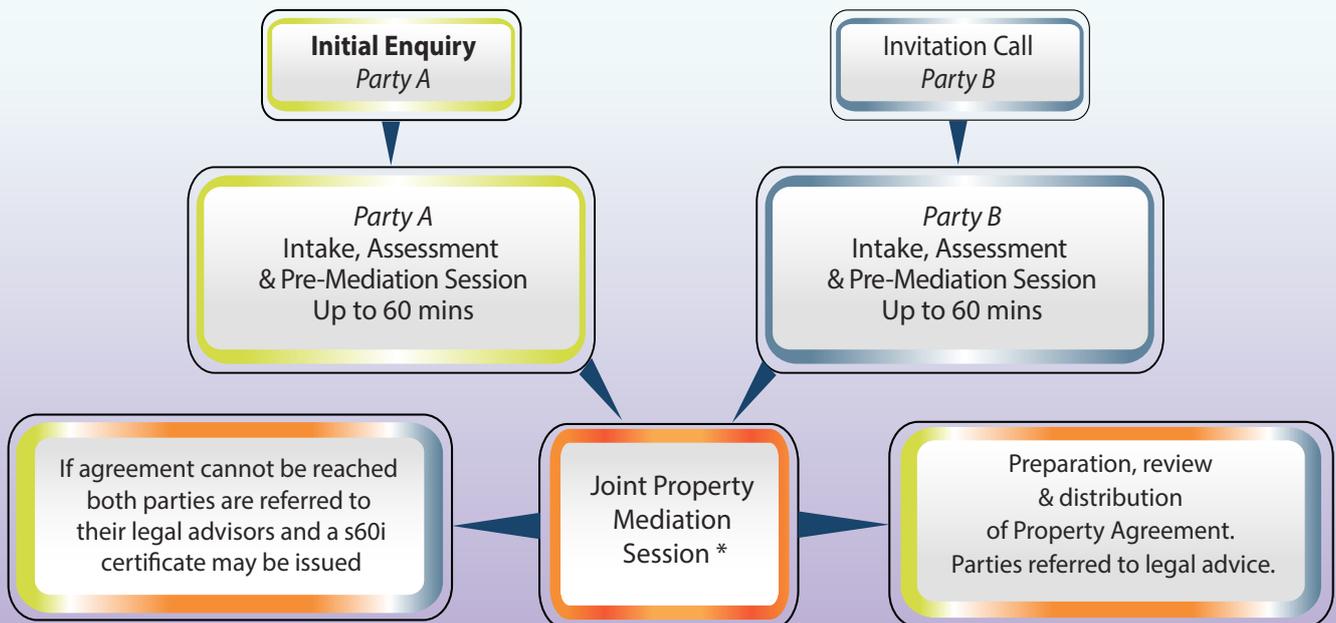
## **FAMILY LAW MEDIATION** *Cairns & Australia-Wide Service*

Property Mediation (also known as family law mediation) is a process designed to assist separated couples to fairly and equitably distribute their common property pool. It is now a requirement of the Australian Family Law Courts to attempt mediation prior to going to court (exceptions apply). Northern Frontiers Mediation's fully-accredited Family Dispute Resolution Practitioners (Mediator) provide an inexpensive process for resolving your property matters, in a fraction of the time of standard legal court processes.

Northern Frontiers Mediation practitioners assist parties to identify relevant assets and liabilities in the common property pool, and then facilitate discussions around proposals to fairly distribute these. Parties are not only encouraged to propose how to distribute the pool, but to also reality test proposals, ensuring that proposed actions (like refinancing properties, selling assets etc) are realistic and achievable. By having these discussions in a 'live' setting, with the guidance of a Mediator, significant time and money can be saved as opposed to impersonal legal processes spread over months, and many emails, calls and appearances.

Northern Frontiers Mediation phone and video chat (Zoom, MStTeams etc) Australia-wide and overseas (where appropriate), as well as from our offices in Cairns, Tropical North Queensland.

### **PROPERTY MEDIATION PROCESS**



\* The number and length of mediation sessions is dependent on the willingness and ability of both parties to mediate effectively and the size and complexity of the property pool.

#### **IMPORTANT:**

In some circumstances the Mediator may assess your matter as 'Not appropriate for Mediation' and issue a s60i certificate. This may occur at any stage of the mediation process. Because Mediators are bound by strict confidentiality requirements, you are encouraged to direct any questions you may have about the s60i certificate to your legal advisor.



Northern Frontiers Services

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### BENEFITS OF MEDIATION

**Comfortable**

Meet in a quiet relaxed space (in our offices, via phone or videochat) with a neutral third person who can help you stay focused on the job at hand. No need to give evidence or be cross-examined – just be prepared to listen to each other, propose options and work together towards mutual agreement. Note: Face-to-face sessions are not required.

**Keep control**

Mediation assumes you know what is in your, and your family's, best interest, and allows you to make proposals to suit. Rather than being forced in to, or having decisions imposed on you, mediation gives you direct control in distributing your property pool.

**Confidential**

Mediation takes place in a 'protected space'. Everything that is said is held in confidence by the Mediator and cannot be used as evidence in any court (limited exceptions apply). This means you can speak openly and honestly about your concerns and seek mutual understanding without fear of publicity.

**Affordable**

Northern Frontiers Mediation pricing is less than half the average hourly rates of legal and financial advice (which can be anywhere between \$350 - \$700 per hour per party). Northern Frontiers Mediation clients can complete a full Property Mediation process for less than \$660 per party (depending on complexity and willingness to seek agreement).

**Less  
Confrontational**

Mediation focuses on teamwork and respectful communication – so you won't be pitted against each other. In this way relationships are protected and may be enhanced. It's okay to 'get things off your chest' in a respectful way but it's not okay to discredit or attack the other party. The Mediator will insist on a safe and respectful environment for all.

#### Property Mediation Pricing 2022

Service Type	Session Type	Session Length	Session Rate
Property Mediation	Intake & Assessment Session	Up to 60 mins	\$210 per person <sup>^</sup>
	Joint Mediation Session *	2-4 hour sessions	\$180 per person per hour

<sup>^</sup> This pricing includes the preparation and distribution of s60i certificates as appropriate.

\* All mediation sessions incur an additional 30 minute administration fee per party. This covers the cost of documenting and distributing your Record of Property Agreement.



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### Frequently Asked Questions

#### Is my dispute suitable for mediation?

If you are separated, or in the process of divorcing, and cannot agree with your ex-partner on a fair and equitable distribution of your common assets a Property Mediation process may be required to assist. Northern Frontiers Mediation believes every situation is unique which is why our services are tailored towards understanding and meeting your needs.

#### Who can start mediation?

Either party can start a Property Mediation process at Northern Frontiers Mediation. Parties can advise the other party that they plan to commence, or already have, or they can let Northern Frontiers make contact. The Australian Family Courts now require both parties to attempt mediation, and produce a s60i certificate, prior to taking any matters to court.

#### What if domestic violence is present?

Abusive behaviours may impact a person's ability to mediate safely and effectively. Mediators are trained to assess risk throughout the mediation process and will only proceed if assessed as safe to do so. If, at any time, the Mediator identifies an unacceptable risk, mediation may cease and a S60I certificate may be issued.

#### Is Property Mediation expensive?

Property Mediation is intended to be an alternative to only relying on lawyers and Courts to resolve your matter. As lawyers cost between \$350 - \$700 per hour, Northern Frontiers Property Mediation Cairns charges less than half these average rates. This means you can save considerable money (often \$1,000s) by utilising an impartial Mediator to assist in resolving your matters, rather than just lawyers (where each party requires their own).

#### Can I have my lawyer with me during mediation?

Parties must agree before bringing their lawyers to mediation. Lawyer-assisted mediation sessions typically take place in a meeting room determined by the Mediator, or via videochat (Zoom, MSTeams etc) where parties are in their lawyer's office. More time is needed to organise this kind of mediation so please let Northern Frontiers' reception know as early as possible if this is how you wish to proceed.

#### What is expected of me in mediation?

- In mediation you will be asked to:
- Identify the issue/s in dispute – focus on one at a time
  - Express your concerns respectfully
  - Make proposals as to how the issues may be resolved
  - Actively seek agreement on issues
  - Review a copy of the agreement
  - Seek legal and financial advice (if you prefer)
  - Sign and date your agreement

#### Do I also need a lawyer?

It is recommended that parties seek their own independent legal and/or financial advice. It is not a requirement for you to disclose this advice during mediation, but the advice can assist in you being aware of how common property pools can be practicably distributed, and in a 'fair and equitable way'.

#### Do I need expensive equipment for phone mediation?

No, just access to a phone and a quiet place. Although we also offer audio-visual mediation services (Zoom, Facetime etc) most people simply use their mobile phone or landline. The Mediator will call each party into the session.

#### What if I am unsure about mediation? Should I still give it a go?

In short, 'Yes'. Even if you manage to reach agreement around some of the issues in dispute it will save you time, money and prolonged stress. You may receive a Partial Agreement and a s60I certificate indicating you have at least attempted mediation and agreed on some issues.

#### Important note . . .

In some circumstances the Mediator may assess your matter as 'not appropriate' for mediation and issue a s60i certificate. This may occur at any stage of the mediation process and because Mediators are bound by strict confidentiality requirements you are encouraged to direct any questions you may have about a s60i certificate to a family law lawyer.