



Phone & Videochat

# Northern Frontiers Mediation

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Property Mediation Brochure 2024

**No Long Waitlist**

## FAMILY LAW MEDIATION

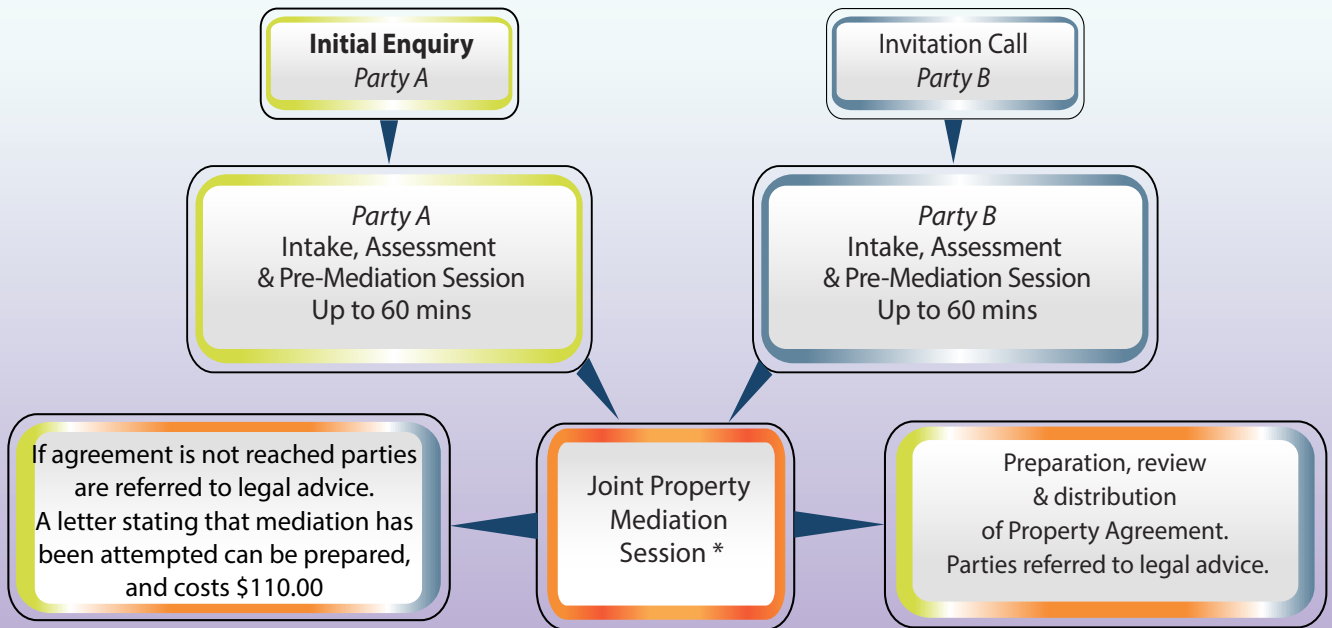
### Australia-wide service

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 and/or 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 offers phone and video chat (Zoom, MS Teams, Skype) Australia-wide.

### 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.



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## BENEFITS OF MEDIATION

### Comfortable

Meet in a quiet relaxed space (via phone or videochat) with a neutral third person who can help you stay focussed on the job at hand. No need to give evidence or be cross-examined – just be prepared to listen to each other’s concerns, propose options and work together towards agreement.

### 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).

### Less Confrontational

Mediation focuses on respectful communication –not pitting you 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 2023

Service Type	Session Type	Session Length	Session Rate
Property Mediation	Intake & Assessment Session	Up to 60 mins	\$260 per person <sup>^</sup>
	Joint Mediation Session*	2-4 hour sessions	\$175 per party per hour
Preparation and distribution of <i>Proof of Mediation</i> letter			\$110 per party

\* 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.

<sup>^</sup>When parenting matters are also involved, this price includes the cost of preparing and distributing a s60I certificate, indicating the outcome of a mediation process.



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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 separated parents/parties to attempt mediation for both parenting and property matters. Proof of mediation can be provided.

### 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 certificate or letter may be issued to both parties.

### 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, MS Teams, Skype) 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?

In some circumstances the Mediator may assess your matter as not appropriate for mediation and issue a s60I certificate (for parenting matters) and a Proof of Mediation letter for property matters. 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 to a legal advisor.

### 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, MS Teams, Skype) 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 property agreement and a Proof of Mediation letter stating that you have agreed on certain issues but not all.