

Family Law: Mediation

Accessible & Transparent Services

Mediation can offer a way for you to resolve issues during separation or divorce without needing to endure arduous and emotionally draining court hearings. Maintaining control and reducing conflict is vital, especially in proceedings involving children.

Most cases can be completed within the scope of the Fee meaning you can budget with complete confidence.

Service	Band A	Band B	Time Limits
Mediation – Children issues	£370	N/A	Max 2 hours
Mediation – Finance issues	£370	£440	Max 2 hours
Mediation – Confirming your arrangements	£555	£660	Max 3 hours

All fees are inclusive of VAT

The Bands

Our mission is to provide affordable access to justice and in order to take account of your ability to pay; our fixed fees in financial disputes are calculated by reference to two scales.

Band A is for clients whose gross assets are valued at less than £450,000. Gross assets are calculated by adding together the estimated values of all matrimonial property, including pension transfer values.


Band B is calculated in exactly the same way but applies when gross assets are worth more than £450,000 but less than £850,000.

If your gross assets are worth more than £850,000 it will normally not be possible to offer you a fixed fee arrangement but we guarantee that we will give you the best advice we can about likely total costs and be open and transparent about how are costs are calculated.

Limits of Fees

As you read this guide, you will see that there is an upper time limit for the amount of work that may be undertaken for some of the stages for the fee quoted.

For more information on Family Law, please contact us:

 0808 129 3320

 info@simpsonmillar.co.uk

 www.simpsonmillar.co.uk

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We find this encourages efficient, disciplined case management. Our experience shows that most matters suitable for Fixed Fee work are capable of being completed within the time limit we have fixed for that phase.

We will alert you as soon as possible if it becomes clear that the necessary work cannot be completed within the limit in your case. At that stage, we will discuss your options with you. You may be able to agree an additional Fixed Fee, decide to proceed on our special Fixed Fee hourly rate or, if eligible, pay for the additional work under our Access to Justice Scheme.

Alternatively, you may want to buy one of our cost effective bundled time packages.

This discussion will also provide an opportunity to review your goals and approach to your case to ensure that the case plan is still the right one for you given your financial circumstances and the probable costs and benefits of continuing the negotiations.

Some cases however are so complex and time consuming that it will be obvious from the outset that they would not be suitable for a Fixed Fee approach.

In particular, Fixed Fees are unlikely to be appropriate when there are significant matrimonial assets outside England and Wales, the assets include a limited company or companies or significant matrimonial assets are held in trust for others.

We therefore reserve the right not to offer a Fixed Fee in any particular case, but you may rest assured that in every case we will always be clear and straightforward when discussing costs with you and give you our best estimate as the case unfolds of what your total costs are likely to be.

Get in touch to discuss your options today

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Family Law Mediation: Children Issues

Band A: £370

Advice during mediation and in reaching an agreement

Our solicitors have the expert knowledge to guide you through separation in a constructive and non-confrontational way, whilst reaching a positive outcome for both you and your children.

If you are not eligible for legal aid, we're giving you the opportunity to access this expert support at a fixed fee of just £370.

What's included:

- A free initial consultation
- E-mails or telephone conversations to discuss things which come up during the mediation process
- A meeting to discuss your memorandum of understanding
- Advice about any important points which may have been overlooked
- Advice on the merits of the agreement you have reached, and if you should reconsider renegotiating
- A letter or e-mail of advice to you confirming the advice we have given you
- A maximum of 2 hours' work (20 units) calculated on the basis of time spent and work done on your behalf. All meetings and telephone calls will be timed and recorded in 6 minute units (i.e. 6 minutes is one unit of time). Each email and letter received and sent will be recorded as one unit.
- VAT



It doesn't include:

- More than one face to face meeting with us after both the free initial meeting and the first meeting. If you need more than this we will agree a charge
- Advice about mediation conducted by a mediator who is not properly accredited by National Family Mediation (NFM) or another nationally recognised family mediation organisation
- Attempting to renegotiate the terms of the agreement you have reached or to negotiate agreement on points which have been missed
- Drawing up a court order or negotiating a separation agreement confirming the arrangements you have agreed
- Work done in excess of the 2 hour limit



At this stage, we do not expect to do any work outside the terms of any fixed price quoted. We will notify you if the position changes; if it does, we will agree with you how the additional work will be charged. This will normally be at our special Fixed Fee Hourly rate.

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Family Law Mediation: Finance Issues

Band A: £370 Band B: £440

Advice during mediation and in reaching an agreement

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If you are not eligible for legal aid, we're giving you the opportunity to access this expert support at a fixed fee of just £370.

What's included:

- A free initial consultation
- E-mails or telephone conversations to discuss things which come up during the mediation process
- A meeting to discuss your memorandum of understanding
- Advice about any important points which may have been overlooked
- Advice on the merits of the agreement you have reached, and if you should reconsider renegotiating
- A letter or e-mail of advice to you confirming the advice we have given you
- A maximum of 2 hours' work (20 units) calculated on the basis of time spent and work done on your behalf - All meetings and telephone calls will be timed and recorded in 6 minute units (i.e. 6 minutes is one unit of time) - Each email and letter received and sent will be recorded as one unit
- VAT




It doesn't include:

- More than one face to face meeting with us after both the free initial meeting and the first meeting. If you need more than this we will agree a charge
- Advice about mediation conducted by a mediator who is not properly accredited by National Family Mediation (NFM) or another nationally recognised family mediation organisation
- Attempting to renegotiate the terms of the agreement you have reached or to negotiate agreement on points which have been missed
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Family Law Mediation: Confirming Your Arrangements

Band A: £555 / Band B: £660

Professional support to consolidate the agreement you reach

To have peace of mind over the agreement you worked to reach during mediation, it's important to have your memorandum of understanding agreed in the form of a consent order or a formal separation agreement.

Our family lawyers are experts in ensuring this process is straightforward and runs smoothly and efficiently. You can now access an award winning team at a fixed fee of £555 (Band A) or £720 (Band B), providing you with complete control over the amount you pay.

What's included:

- Drawing up a court order or separation agreement in consultation with your husband/wife's solicitor
- Sending it to you with a detailed explanatory letter or e-mail so that you can be sure you understand it fully and have a future record as to what it means
- Negotiating the detailed wording with your husband/wife's solicitor
- Sending the court order to 3rd parties and to the court for approval of the judge
- Dealing with any questions the judge may raise in correspondence before they approve the order
- A maximum of 3 hours' (30 units) work calculated on the basis of time spent and work done on your behalf. All attendances, meetings, preparation and telephone calls will be timed and recorded in 6 minute units (i.e. 6 minutes is one unit). Each email and letter received and sent will be recorded as one unit
- VAT



It does not include:

- The initial meeting (see above)
- Renegotiating any terms in the agreement or suggesting new or different terms
- Advice during mediation and about the agreement you reach.
- The court fee, currently £45, when you send the consent order to the court
- A supplement of £120 payable for each pension sharing annex included in the order
- Going to court (which is very unlikely at this stage)



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- Implementing the court order; this can involve transferring house ownership or assigning endowment policies, etc.
- Charges made by other people, such as pension providers where a pension sharing order is made
- Work done in excess of the three hour time limit

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Bundled Time and Hourly Rates

If you need additional time, we can also offer an hourly rate (speak to your Solicitor about this), clients that require more than a simple consultation may wish to take advantage of our 'Bundled Time' scheme.

This is a simple and straightforward way of buying a predefined amount of expert legal representation and advice.

Time	Band A	Band B
5 hours	£925	£1100
10 hours	£1850	£2200
15 hours	£2775	£3300
20 hours	£3700	£4400

All legal expertise purchased under 'Bundled Time' must, unless otherwise agreed in writing, be paid in full and in advance of work commencing.

Agreement to defer payment will only be considered if adequate security for payment in full is provided.

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Fees: Frequently Asked Questions

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When are the fees payable?

Payment is due before work can be started. We are able to accept payment by bank card, credit card or PayPal, either face to face at one of our offices, over the phone, or online via our website.

Any Court fees we have to pay are payable by you in advance.

Any fees payable to third parties, including Agents, Experts, and Barristers, are payable in full before they can be instructed to begin work.

In certain limited circumstances, where security for payment can be arranged, it may be possible for payment by instalments to be considered.

How do we work out whether you are entitled to use the Fixed Fee Schemes?

When deciding whether you qualify for the Fixed Fee Schemes we will look at the complexity of the case. These Fixed Fee arrangements are not normally available in children's cases where there are more than 2 parties, in abduction cases, permission to remove from the jurisdiction permanently, enforcement, or in cases where allegations of harm or the mental health are significant issues.

They are not normally available in complex financial cases including cases where the gross value of the matrimonial assets exceeds £850,000, where significant matrimonial assets are located outside England and Wales, where the matrimonial assets comprise a business or limited company, or if there are assets held in trust for third parties or if third parties intervene in the case.

We may be able to individually agree a higher Fixed Fee with you for undertaking these more complex pieces of work.


What work is not included in the Fixed Fee Scheme?

Any work we do for you which is not included in the Fixed Fee will normally be charged separately on the basis of our Fixed Fee hourly rate, as set out in our Terms of Business letter.

We will not do any work for you outside the scope of the fixed fee until we have discussed this with you and explained our charges, given you the best estimate we can of the likely overall cost to you and secured your written agreement to the extra work.

An exception to this is work we may have to do for you on an emergency basis where we have been unable to contact you before proceeding. We will only do this if we think the work is reasonably necessary to protect your interests, but you agree to pay our charges for that extra work.

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