

### **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:*

***Applicant (or Respondent) Name:***

***Applicant (or Respondent) Address:***

***Signed.....***  
***[solicitor for] the applicant or respondent***

***Date:***

***Signed.....***  
***Mediator (Recognised by the Family Mediation Council)***

***Date:***

***Address.....***