

JENNY RIMMER MEDIATIONS

Mediation and Family Dispute Resolution Services

Principal:

Jennifer Rimmer LLB; Grad Dip Legal Practice



Nationally Accredited Mediator

Registered Family Dispute Resolution Practitioner

LEGAL PRACTITIONERS INFORMATION FOR PROPERTY AND/OR PARENTING MEDIATIONS

INFORMATION TO BE PROVIDED TO THE PARTIES

The legal practitioners for the parties will be provided with copies of my Mediation and Fee Agreement - Terms and Conditions with Consent Form, and a document called "Mediation Information for Parties". Please ensure that the documents are sent to your client immediately. The signed Consent Form must be returned prior to the mediation. Please ask your client to read the Mediation and Fee Agreement straight away. If the client has any concern with any part of the Agreement we are to be informed immediately, but not later than 7 days. In the event that a party fails to notify me that he/she does not consent to the terms of the Agreement within 7 days, that party and the mediator will be bound by its terms even if the signed Consent Form is not provided. Please note that I cannot commence the mediation unless the Consent Form has been signed and returned.

PROPERTY MEDIATIONS

Information to be provided by the Parties. For the purposes of my preparation of the mediation please provide me with the following, preferably in the form of short case outline document or a position statement:

- particulars of the parties, their children and the history of the relationship;
- particulars of the competing claims of the parties;
- particulars of the assets, liabilities and financial resources of the parties;
- identification of any valuation issues;
- details of the income, earning capacity, future needs of the parties and any other s75(2) factors contended to be relevant;
- details of any disparity of contributions, financial or otherwise, at the commencement of, during or subsequent to the relationship, together with details of any post separation payments or transactions which may be the subject of claims for adjustments; and
- details of any other fact or issue contended by either of the parties to be relevant to an assessment of their entitlements to property settlement.

There is no need for this to be an extensive account of such matters but it does need to be sufficient to allow me to identify those matters in issue rather than being provided with the evidence in relation to those issues.

If it is considered necessary to provide some court documents, limit that to the essential ones only.

Please provide all information at least **three clear working days** prior to the mediation.

The prospects of a successful mediation are improved by good preparation. If the legal practitioners have jointly addressed, or if possible resolved, all or as many of the valuation and property pool issues as possible prior to the day of the mediation, that would be a great assistance. Please attend to this important aspect of the matter and keep me informed of any potential difficulties in that regard. Time can be provided at the early stage of the mediation for us to do this but it takes from the time the parties have to actually mediate the issues.

Introduction sessions with Legal Practitioners and the Parties. I will conduct introductions sessions with the individual parties prior to the commencement of the mediation proper. That introduction will take place on the morning of the mediation **commencing at 9.30 am**. The purpose of the meeting is to meet your client, to canvas particular aspects of your client's case which might need clarification and to answer any questions your client might have about the mediation. I will seek your client's agreement to having a joint session where I outline the mediation process that I will use.

PARENTING MEDIATIONS

Information to be provided by the Parties. Please complete the relevant parts of the attached Parenting Mediation – Intake Questionnaire. Alternatively, the information can be presented as a short case outline. If it is considered necessary to provide some court documents, limit that to the essential ones only.

Please provide all information at least **three clear working days** prior to the mediation.

Intake sessions with Legal Practitioners and the Parties. It is a requirement for me to have separate intake meetings with the parties prior to the commencement of a parenting mediation. The intake session will take place on the morning of the mediation with **one party at 9.00 am** and the **other at 09.30 am**. I am happy for the parties to agree the session they will attend, however, I usually find that the legal practitioners use the time for productive discussions with their clients.

PARENTING AND PROPERTY MEDIATIONS

For parenting and property mediations, please provide the information requested for both parenting and property.

VENUE

We have the option of using either the Queensland Law Society in Ann Street or Inns of Court on North Quay. Once the venue is mutually agreed by the parties we will book the venue and the cost will be included in our invoice. Likewise, there are suitable venues on the Gold Coast, such as Michelle Porcheron Mediation Rooms, BGM Legal at Coomera or the Mudgeeraba Mediation Centre.

I am happy to attend at the offices of the Solicitors for either of the parties for the mediation if there is mutual agreement and provided there are suitable facilities available which would ordinarily require access to three separate rooms. I also require a whiteboard in the main room.

It is necessary to address the question of venue expeditiously and to advise accordingly to avoid difficulties in that regard.

ATTENDANCE AT THE MEDIATION

Please advise who will be appearing for the parties on the day of the mediation together with details of any accompanying persons. It will be necessary for the accompanying persons to acknowledge that they understand and are bound by the terms of the Mediation Agreement as it relates to confidentiality of the mediation.