



The Treasury

Yn Tashtev

Civil Legal Aid Administration
Social Security Division
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Legal Aid Funding of Mediation

1. The rate for mediation in single mediations will be £55.00 per hour and the time allowed to do all work as set out in the Schedule is 8 hours.
2. That amounts to £440.00 for one Mediator for 2 mediation sessions for family matters to include all preparation, meetings and report writing.
3. There will be circumstances where more than 2 sessions are required. In those circumstances a further 90 minute session may be authorised at £82.50 per session.
4. The initial 2 sessions can be wholly covered by Legal Aid even if one party to the mediation is not legally aided.
5. For further mediation any non-assisted party will be required to pay one half of the mediation fees going forward.
6. The Committee accepted that there will be circumstances where two Mediators may be required, for example:
 - Couples in high conflict
 - Past domestic violence or threat
 - Presence of mental health issues
 - High net worth
 - Emotional neediness
 - Cross jurisdictional issues
 - Self-representing clients
7. The Committee agreed an additional fee for up to 2 sessions of co-mediation of £165.00.
8. The Legal Aid Certifying Officer will maintain a list of approved Mediators subject to annual review and re-validation etc.
9. There will be a 3 month time limit in which mediation should take place.

The Legal Aid Committee hope that the amendments will result in greater use of mediation with consequential savings in Legal Aid expenditure and Court time.

Schedule of Work Included:

- Assessment meetings with each client
- Administrative costs
- Preparatory costs
- Mediation
- Correspondence with Advocates
- Summary letters – summarising the main points raised in mediation with any further steps to be taken

Form LA-MED1

To: Legal Aid Certifying Officer
2nd Floor
Markwell House
Douglas
IM1 2RZ

Date _____
Name of Advocate _____
Address _____

Dear Madam

My Client: _____

Opponent: _____

Application for authorisation for 2 mediation sessions with one mediator

- My client is being advised under a Green Form dated _____
- My client has the benefit of a Legal Aid Certificate LA / _____

(Please tick the option which applies to this application)

I write to apply for a disbursement in the sum of £440.00 in respect of 2 mediation sessions with one mediator.

Reasons for application:-

Please set out brief details of the case, include whether the case relates to contact, residence or both.

Signed _____

Advocate

Form LA-MED1

FOR USE BY THE LEGAL AID OFFICE

I hereby **authorise** the sum of £440.00 in respect of 2 sessions of mediation with one mediator

Signed _____

Legal Aid Certifying Officer

Dated _____

I **refuse** the application for authorisation of £440.00 for 2 sessions of mediation with one mediator.

The reasons for the refusal are:-

Signed _____

Legal Aid Certifying Officer

Dated _____

Form LA-MED2

To: Legal Aid Certifying Officer
2nd Floor
Markwell House
Douglas
IM1 2RZ

Date _____
Name of advocate _____
Address _____

Dear Madam,

My Client: _____

Opponent: _____

Application for authorisation for co-mediation with 2 mediators

- My client is being advised under a Green Form dated _____
- My client has the benefit of a Legal Aid Certificate LA/ _____
(Please tick the option which applies to this application)

I write to apply for approval to a disbursement in the sum of £715.00 in respect of co-mediation with two mediators.

Circumstances where two mediators are required:

(Please tick the situation which applies to this application)

- | | |
|--|--|
| <input type="checkbox"/> Couples in high conflict | <input type="checkbox"/> <i>Emotional neediness</i> |
| <input type="checkbox"/> Past domestic violence or threat | <input type="checkbox"/> Cross jurisdictional issues |
| <input type="checkbox"/> <i>Presence of mental health issues</i> | <input type="checkbox"/> Self-representing parties |
| <input type="checkbox"/> High net worth | |

Reasons for application:-

Please set brief details of the case, include any evidence to support your argument.

Signed _____

Advocate

FOR USE BY THE LEGAL AID OFFICE

I hereby **authorise** the sum of £715.00 in respect of co-mediation with two mediators

Signed _____

Legal Aid Certifying Officer

Dated _____

I **refuse** the application for authorisation of £715.00 for 2 sessions of co-mediation with two mediators.

The reasons for the refusal are:-

Signed _____

Legal Aid Certifying Officer

Dated _____

Form LA-MED3

To: Legal Aid Certifying Officer
2nd Floor
Markwell House
Douglas
IM1 2RZ

Date _____
Name of Advocate _____
Address _____

Dear Madam,

My Client: _____

Opponent: _____

Application for authorisation for extra sessions of mediation or co-mediation

- My client is being advised under a Green Form dated _____
 - My client has the benefit of a Legal Aid Certificate LA/_____
- (Please tick the option which applies to this application)*

On *(please insert date)* _____ a disbursement in the sum of:

- £440.00 in respect of two sessions of mediation with one mediator
- £605.00 in respect of two sessions of co-mediation with two mediators

The 2 sessions have taken place but it has proved necessary for a further session to be held.

- I apply for authorisation of a further sum of £82.50 in respect of a further 90 minute session of mediation or co-mediation.

Reasons for application:-

Please set out the reasons why the extra session is necessary, include any report or comments of the mediator(s)

Signed _____

Advocate

Form LA-MED3

FOR USE BY THE LEGAL AID OFFICE

I hereby **authorise** the sum of £82.50 in respect of 1 extra session of mediation or co-mediation

Signed _____

Legal Aid Certifying Officer

Dated _____

I **refuse** the application for authorisation of £82.50 in respect of 1 extra session of mediation or co-mediation

The reasons for the refusal are:-

Signed _____

Legal Aid Certifying Officer

Dated _____