

Respect

Men's advice line

Mediation Information and Assessment Meeting (MIAM)

This factsheet explains the purpose of a MIAM and the exceptions that apply.

What is a MIAM (Mediation Information and Assessment Meeting)?

In certain types of family law cases, the rules require you to consider a MIAM before proceeding with a formal application. However, this does not apply in all circumstances. If you can satisfy an exemption, you are not required to attend. During the MIAM, with the assistance of an independent third party, you will explore whether or not your dispute can be resolved without litigated proceedings. This is a confidential process and the parties cannot refer to the conversation(s) held during the MIAM.

It is not uncommon for one party to refuse to attend the MIAM. The MIAM can proceed with either of the parties attending (together or separately). If the other party fails to attend, you can provide written confirmation of your attempts (normally within your application) and thereafter can proceed with the formal application.

You mustn't overlook the importance of this requirement. The court has measures in place to enquire as to the attempts undertaken. If you fail to comply with this requirement, the court can order you to do so before allowing the proceedings to progress.

What are the MIAM Exemptions?

There are many exemptions to the MIAM requirement.

Some examples:

1. The application is urgent.
2. The application is made without notice.
3. There has been or is a risk of domestic violence (specific evidence and timescales apply).
4. Previous MIAM attendance or Exemption

The Family Mediation Council explains the exemptions online, click [here](#) to read further.

It is important to consider your circumstances and then consider if an exemption applies. The process of mediation, when appropriate, can help save substantial costs and avoid lengthy proceedings. Even if the process is not successful, it could at the very least help you narrow down the issues in dispute. This will help to focus on those issues and hopefully reduce unnecessary disputes.

This resource has been brought to you by Azhar Hussain (Solicitor-Advocate & Experienced Head of Family Dept) and you can find further information at <http://www.azharhussain.co.uk/legal-blog/>