

# Bayside Community Legal Service

*'Making Justice Accessible to Everyone'*

## FACT SHEET

## Mediation

***Are you in a dispute with someone? Do you want to save time, legal fees and costs? Mediation is the answer!***

### **What is mediation?**

Mediation helps people settle disputes without the need to go to court.

Mediation is a process in which an independent person (known as the '*mediator*') assists disagreeing parties to resolve conflict.

### **Bayside Community Legal Service Mediation Service?**

Bayside Community Legal Service (BCLS) provides a FREE confidential mediation service. The BCLS Mediation Service is independent from the BCLS Legal Service. Currently, we have approximately 25 mediators available therefore there are limited wait times and quick turnovers.

### **What Sort of Issues Can A Mediator Help With?**

There are no limits as to what can be mediated but the most common issues, we deal with at the Bayside Community Legal Service are:

- Divorce/separation
- Property settlements
- Parenting plans
- Neighborhood disputes including fences, retainer walls and overhanging branches.
- Debt issues

### **How does mediation work?**

To enhance the opportunity to resolve disputes between parties, the BCLS Mediation Service provides a co-mediation model of dispute resolution in which there are two mediators who assist the parties in discussion and resolution of issues.

### **Who Attends Mediation?**

Attending mediation is generally voluntary and both parties need to agree to attend.

Due to the co-mediation model provided, no lawyers are present during the mediation. The mediator has no determinative role but will assist each party to identify issues in dispute, develop options and consider alternatives to reach a mutually acceptable outcome.

The mediation sessions will usually go for a period of 2 to 4 hours, but this will depend on the complexity of the issues.

### **Mediation and the Law**

Mediation is not a legal process. Mediators cannot provide you with legal advice. If the parties have questions about their rights or responsibilities, BCLS suggests you seek legal advice before the mediation.

### **Are mediation sessions legally binding?**

Mediation sessions are simply an agreement between two parties. For example, a mediated parenting plan is not binding, however the two parties are able to submit their agreement to the Family Court to make them binding.

### **How do I apply to use the mediation service?**

The first step is to visit our website and complete a mediation booking form and return it to us via email at [mediation@bcls.org.au](mailto:mediation@bcls.org.au). Once we receive this form, we will assess the legal issue and if your matter is suitable for mediation, a BCLS mediator will be in contact with you to begin the mediation process.



[www.bcls.org.au](http://www.bcls.org.au)

[info@bcls.org.au](mailto:info@bcls.org.au)

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*Bayside Community Legal Service acknowledges the traditional owners of the lands across Queensland, and in particular the Quandamooka peoples, the traditional owners of this land where our Bayside community is situated. We pay our respect to elders past, present and emerging*