



Family Law Mediation: How to Resolve Your Dispute Without Going to Court

If you have separated from your ex, you may be wondering how to resolve your parenting or property dispute as quickly and cost-effectively as possible.

The good news is that going to court is not your only option. In fact, many family law matters are resolved through **family law mediation**.

What Is Family Law Mediation?

Family law mediation is a structured, confidential process where an independent mediator helps you and your ex negotiate an agreement.

Importantly:

- The mediator does not take sides
- The mediator does not make decisions

- The outcome is controlled by you

Everything discussed during mediation (including any offers made) remains confidential.

This means you can explore options freely, without the pressure and uncertainty of court proceedings.

Why Choose Family Law Mediation Instead of Going to Court?

Many people choose **family law mediation** because it offers:

- A faster resolution
- A more cost-effective process
- Greater control over the outcome
- Less stress and emotional conflict

By reaching an agreement through mediation, you can avoid the time, expense, and adversarial nature of court proceedings.

What Types of Family Law Mediation Are Available?

There are two main types of **family law mediation**:

1. What Is Lawyer-Assisted Mediation?

In lawyer-assisted mediation, both parties attend with their lawyers, who provide advice and support throughout the process.

This type of mediation is often best for:

- More complex parenting or property matters
- Situations where legal guidance is important
- Cases involving power imbalances or safety concerns

You will still negotiate the outcome, but with the benefit of real-time legal advice.

Because you are supported by your lawyer, you are not required to negotiate directly with your ex if

you do not feel comfortable doing so.

2. What Is Community-Based Mediation?

Community-based mediation is usually offered by government or not-for-profit organisations at little or no cost.

In this format:

- A trained mediator runs the session
- Lawyers are not present
- Both parties participate directly

This option may be suitable if:

- The issues are relatively straightforward
- There is no urgency
- Both parties feel safe to participate

However, it is important to remember that you will not receive legal advice during the mediation.

If family violence or safety concerns are present, this format may not be appropriate.

Is Family Law Mediation Legally Binding?

Mediation itself does not create a legally binding agreement.

However, once an agreement is reached, it can be formalised through:

- Consent Orders filed with the Court, or
- A Binding Financial Agreement (for property matters)

Formalising your agreement ensures it is enforceable and brings your matter to a clear and final resolution.

When Is Family Law Mediation Most Effective?

Family law mediation is often most effective when:

- Both parties are willing to negotiate
- There is a desire to avoid court
- The focus is on practical solutions

It is an important step for many separating couples and, in some cases, may even be required before court proceedings can begin (particularly for parenting matters).

How Can Andersons Help with Family Law Mediation?

At Andersons Solicitors, our experienced family law team is focused on helping clients resolve matters without going to court wherever possible.

We understand the value of **family law mediation** in achieving timely, cost-effective outcomes.

We also offer a unique **90-minute Family Road Map appointment**, where:

- Your situation is carefully assessed
- Your questions are answered
- A clear plan is developed for your next steps

This appointment is offered for a fixed fee, with no obligation to proceed further.

Ready to Take the Next Step?

If you would like to explore your options or book your **[Family Road Map appointment](#)**, our team is here to help. Call 8238 6666 or email enquiry@andersons.com.au