

# AGREEMENT TO MEDIATE

## ALL ISSUES OR PROPERTY & FINANCE

We have had an initial meeting to hear about mediation, its principles and how it works. We have also had written information about mediation. We have decided to use Kent Family Mediation to resolve issues between us and plan for the future. We understand that mediation is voluntary and either of us may choose to end it at any time.

We agree that:

- We will listen and consider each other's point of views and concerns
- We will make full and true disclosure of our financial circumstances and provide documents to verify the figures
- We will not transfer, conceal or dispose of assets without mutual consent and without having first discussed this in mediation - apart from everyday living expenses
- We will not enter into any new financial commitments, e.g bank loans or mortgage agreements, without mutual consent and without having first discussed this in mediation
- Discussions in mediation remain confidential, and may not be used in evidence against each other should we go to court, though financial facts disclosed in mediation are open and may be used
- We understand that the mediator does not represent either of us and we have been informed of the availability of legal advice
- We will only communicate with the mediator about matters being mediated during our meetings

Mediation services are charged at £205 per person per session. It is sometimes possible to start mediation at your initial meeting, if both parties are agreeable. If this is the case there will be a charge of £102.50 per person for that meeting. Payment is due at the end of each session. Any additional costs, such as the use of an interpreter, will be discussed and agreed beforehand. The report summarising the mediation, known as the Memorandum of Understanding is £246 each. You will each receive a copy at the conclusion of mediation. If eligible for Public Funding, all fees are paid by the Legal Services Commission.

We have read and understood the conditions of this mediation contract and wish to proceed with mediation.

Signed: .....

Date: .....

Signed: .....

Date: .....

## **GUIDE TO COMPLETING YOUR FINANCIAL INFORMATION SHEETS**

These are some key points to assist you in completing the paperwork required for your first meeting, should you proceed to mediation.

### □ **Income :**

Fill out on a calendar month basis. If you are paid weekly, multiply by 52 and divide by 12.

Child Benefit is often paid 4 weekly, rather than calendar monthly. In this case multiply by 13 and then divide by 12 to obtain a calendar monthly figure.

### □ **Estimated Future Expenses :**

For many people the only way to complete this form is by making an informed guess! Work on the basis of your preferred outcome (which may or may not happen) and estimate what you think your living costs will be.

### □ **Assets and Liabilities :**

Some of the information required you will need to **specifically ask for**. It may be best to do this in writing. The main information you will need to ask for is:

- i. The surrender value of any endowment or life insurance policy.
- ii. The Cash Equivalent Transfer Value of any pension fund - details attached.
- iii. The current value of any investment portfolio or investment based ISA.
- iv. Property valuations.

### □ **Documents of Verification :**

It is important that you bring along documents to verify income, assets and debts (see attached). However, these may not be required until your next appointment.

### □ **Photocopying :**

Please make 2 photocopies of your financial information forms and all documents of verification. One copy is for your ex-partner and one for your mediator(s).

If you do not bring photocopies, your mediator will need to make photocopies during your meetings and this may lead you to feel that time is being wasted. There will be a one off charge of £5 for any photocopying.

# PERSONAL DETAILS

Name .....

Current Address .....

Date of Birth .....Age.....

Job Title .....

Employer.....Gross Salary pa.....

Current Stage of Relationship .....

Date of Marriage .....

or

Date Cohabitation Started .....

Date of Separation .....

Date of any Decree Nisi/Absolute .....

Do You Live with a New Partner? .....

Do You Intend to Live with a  
New Partner in the Next 6 Months? .....

Names, Date of Birth & ages of any Children of the  
Family:

.....

.....

.....

.....

NAME .....

## **INCOME SHEET**

### **INCOME FROM EMPLOYMENT (Calendar Monthly)**

Salary/Wages (gross)		£
Bonus/Commission (not included above)		£
Part-time/Casual Earnings		£
LESS		
Income Tax	£	
National Insurance	£	
Pension Contributions	£	
Other - specify (e.g. Union)	£	
Total Deductions		£
<b>Net Income From Employment</b>		<b>£</b>

### **INCOME FROM SELF EMPLOYMENT (Annual)**

Gross Profits		£
LESS		
Business Expenses (= net profits)	£	
Any Retained Profits	£	
Income Tax & National Insurance	£	
Personal Pension Contributions	£	
Total Deductions		£
<b>Net Income (drawings) from Self Employment</b>		<b>£</b>
<b>Divide by 12 to arrive at notional Monthly Figure</b>		<b>£</b>

### **OTHER INCOME (Calendar Monthly)**

Child Benefit		£
Working Families Tax Credit		£
Other State Benefits (please specify)		£
Dividends or Interest Received		£
Rental Income		£
Pension Income		£
Income from Trusts		£
Child Support or Maintenance from any prior partner		£
Any other Income from any source (specify)		£
LESS		
Tax Liability	£	
<b>TOTAL NET MONTHLY INCOME</b>		<b>£</b>

NAME .....

## ESTIMATED FUTURE EXPENDITURE

(Based on Your Preferred Outcome)

<p><b>Accommodation</b> <span style="float: right;"><b>£ pcm</b></span></p> <p>Mortgage/Rent Endowment/Investment premiums – (linked to mortgage) Buildings &amp; Contents Insurance Allowance for essential maintenance</p> <p style="text-align: right;"><b>TOTAL</b> _____</p>	<p><b>Utilities</b> <span style="float: right;"><b>£ pcm</b></span></p> <p>Council Tax Water Rates Gas/Oil/Solid Fuel Electricity Telephone</p> <p style="text-align: right;"><b>TOTAL</b> _____</p>
<p><b>Financial Commitments</b> <span style="float: right;"><b>£ pcm</b></span></p> <p>Bank or other loan repayments Credit &amp; Store Card repayments Hire Purchase/Catalogue Other Insurances (e.g. life/medical) Pension Conts. (not included elsewhere) Regular Savings or Investments Maintenance to Prior Partner Other (please specify)</p> <p style="text-align: right;"><b>TOTAL</b> _____</p>	<p><b>Transport</b> <span style="float: right;"><b>£ pcm</b></span></p> <p>Vehicle Repayments Insurance Tax Service/Repairs/MOT Breakdown Insurance Petrol/Parking Public Transport</p> <p style="text-align: right;"><b>TOTAL</b> _____</p>
<p><b>Household</b> <span style="float: right;"><b>£ pcm</b></span></p> <p>Supermarket (food/toiletries, etc.) Other household (milk/local shop/etc.) Domestic Help/Window Cleaning Dry Cleaning TV License/Subscription Vet Bills</p> <p style="text-align: right;"><b>TOTAL</b> _____</p>	<p><b>Personal</b> <span style="float: right;"><b>£ pcm</b></span></p> <p>Clothes (for self) Hair/Toiletries, etc. Dentist/Optician Other Health or Personal Care Expenses Presents Tobacco/Alcohol Stationery/Newspapers, etc. Other</p> <p style="text-align: right;"><b>TOTAL</b> _____</p>
<p><b>Recreation</b> <span style="float: right;"><b>£ pcm</b></span></p> <p>Holidays Trips Out Sports/Hobbies Going Out/Restaurants/Cinema/etc. Other</p> <p style="text-align: right;"><b>TOTAL</b> _____</p>	<p><b>Children's Expenses</b> <span style="float: right;"><b>£ pcm</b></span></p> <p>Clothes/Shoes Haircuts, etc. Clubs/Groups Lessons Pocket Money Childcare Costs/Babysitting Trips Out Fares School Uniform &amp; Sports Wear School Meals School Trips School Fees University Support, etc. Other (please specify)</p> <p style="text-align: right;"><b>TOTAL</b> _____</p>

**TOTAL ESTIMATED FUTURE EXPENDITURE**    **£** \_\_\_\_\_ **pcm**

**ASSETS AND LIABILITIES**

**NAME** .....

<b>FAMILY HOME</b>					
Date of Purchase	_____	Value	£	_____	
Purchase Price	£ _____	Less Mortgage	£	_____	
		Secured Loan	£	_____	
Joint/Sole Ownership	_____	<b>NET EQUITY</b>	<b>£</b>	_____	
<b>OTHER PROPERTIES</b>					
Date of Purchase	_____	Value	£	_____	
Purchase Price	£ _____	Less Mortgage	£	_____	
Owned By	_____	<b>NET EQUITY</b>	<b>£</b>	_____	
<b>SAVINGS SCHEMES LINKED TO MORTGAGE (Endowments/ISA/Pension)</b>					
Company	Policy Number	Maturity Date		Surrender Value	
i. _____	_____	_____		£ _____	
ii. _____	_____	_____		£ _____	
iii. _____	_____	_____		£ _____	
<b>CURRENT (WORKING) ACCOUNTS</b>					
Bank	Account Number	Joint/Sole		Usual End of Month Balance	
i. _____	_____	_____		£ _____	
ii. _____	_____	_____		£ _____	
iii. _____	_____	_____		£ _____	
<b>SAVINGS ACCOUNTS (including Share Save Accounts/ISA's/Premium Bonds, etc.)</b>					
Bank/Building Society	Account Number	Joint/Sole	Balance	Date	
i. _____	_____	_____	_____	£ _____	
ii. _____	_____	_____	_____	£ _____	
iii. _____	_____	_____	_____	£ _____	
<b>SHARES/SHARE OPTION SCHEMES</b>					
Company	No. of Shares	Option Price & Contract & exercise dates (where applicable)	Joint/Sole	Value	Date
i. _____	_____	_____	_____	£ _____	_____
ii. _____	_____	_____	_____	£ _____	_____
<b>OTHER INVESTMENTS (Portfolio/Bonds, etc.)</b>					
Company	Account Number	Type	Joint/Sole	Value	Date
i. _____	_____	_____	_____	£ _____	_____
ii. _____	_____	_____	_____	£ _____	_____

<b>LIFE INSURANCE POLICIES (Including those with no Surrender Value)</b>					
Company	Policy Number	Joint/Sole	Maturity Date	Surrender Value	Date
i. _____	_____	_____	_____	£ _____	_____
ii. _____	_____	_____	_____	£ _____	_____
iii. _____	_____	_____	_____	£ _____	_____
<b>CARS OR VEHICLES (including Caravans and Boats)</b>					
Description	Outstanding Loan	Net Value			
i. _____	£ _____	£ _____			
ii. _____	£ _____	£ _____			
<b>VALUABLES OR OTHER ASSETS (over £500 sale value)</b>					
Description	Value				
i. _____	£ _____				
ii. _____	£ _____				
<b>TRUSTS (List any that you or your children are, or will be, beneficiaries of)</b>					
<hr/> <hr/>					
<b>PENSION FUNDS</b>					
Company	Policy No.	Current/Frozen	Period	Transfer Value	Date
i. _____	_____	_____	_____	£ _____	_____
ii. _____	_____	_____	_____	£ _____	_____
iii. _____	_____	_____	_____	£ _____	_____
<b>BUSINESS INTERESTS</b>					
Name & Nature of Business	Estimate of any Capital Value of Business Interest				
i. _____	_____				
<b>DEBTS (not already included)</b>					
	£ Outstanding		£ Outstanding		
Bank/Finance House Loans		Hire Purchase			
Credit/Store Cards		Catalogues/Clubs			
Family Loans		Student Loans			
Tax Liability		Others (please specify)			
<b>ANTICIPATED INHERITENCES IN FORESEEABLE FUTURE (provide details)</b>					
<hr/> <hr/>					
<b>ANY MONIES OWED TO YOU (over £500)</b>					
<hr/> <hr/>					





**HOW TO REQUEST A STATE EARNINGS RELATED PENSION  
SCHEME (SERPS) VALUATION & FORECAST  
(Both are required)**

These can both be obtained either via the Directgov website and following the links to:

Money, Tax & Benefits  
Pensions – State Pension  
Getting a State Pension Forecast

[www.direct.gov.uk](http://www.direct.gov.uk)

or

by a BR20 form, which can be obtained by calling the Pension Service on  
0845 3000168

The address of the Pension Service is

Future Pension Centre  
The Pension Service  
Tyneview Park  
Newcastle upon Tyne  
NE98 1BA

The Pension Service will only accept original, up-to-date, BR20 forms.

To : (insert name and address of pension scheme)

---

---

Date : \_\_\_\_\_

Dear Sir/Madam

**Request for Pension Valuation for Matrimonial Purposes**

Would you please kindly provide me with the following information, which I require for matrimonial purposes.

1. The **current** value (illustration of benefits) of my pension, or deferred pension **assuming no further contributions**.
2. The **cash equivalent transfer value** (cetv)

My details are as below:

Full Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Contact Tel. No. \_\_\_\_\_

Date of Birth \_\_\_\_\_

N. I. Number \_\_\_\_\_

Pension Scheme  
No. or Reference \_\_\_\_\_

With many thanks.

Yours faithfully

(signature)

## **DOCUMENTS OF VERIFICATION**

IT IS VERY IMPORTANT THAT YOU COMPLETE AS MUCH OF THE FOLLOWING AS POSSIBLE AND BRING PROOF OF SAME TO YOUR MEETING. (Two copies of all paperwork will be needed. A one-off charge of £5 will be charged to cover any photocopying carried out at our offices, if required).

IF ALL THE INFORMATION IS NOT AVAILABLE, PLEASE ENSURE THAT YOU BEGIN TO REQUEST INFORMATION FROM OUTSIDE SOURCES BEFORE ATTENDING YOUR MEETING.

- 1) House Valuation
- 2) Value of any other properties
- 3) Details of Mortgage(s)
- 4) Details of Bank Accounts (6 months accounts)
- 5) Details of any Savings Accounts (individual or joint)
- 6) Details of any Stock and Shares, i.e. share certificates and dividend vouchers.
- 7) Details of any other investments (PEPs, Tessa, ISA, Premium Bonds)
- 8) Details of Endowment and Life Insurance Policies (those with a surrender value will need to be requested)
- 9) Details of Cars or Vehicles
- 10) Details of any valuables or other assets
- 11) Details of any Trusts (that you, or your children are, or will be beneficiaries of).
- 12) Details of all Pension Funds (cash equivalent transfer value), Additional State Pension (SERPS) and State Pension forecast.
- 13) Details of any Business Interest (Trade accounts for last 2 years if self-employed)
- 14) Details of any Debts and balance of any outstanding loans, HP agreements, credit cards (the most recent statements).
- 15) Details of any anticipated inheritances
- 16) Details of any monies owed to you
- 17) Payslips for last 6 months
- 18) P60 for the last tax year.



# **YOUR MEMORANDUM OF UNDERSTANDING AND OPEN SUMMARY OF FINANCIAL INFORMATION**

---

On successful completion of mediation, agreed proposals, and financial information upon which they are based, will be drafted into two documents for you, by your mediator. You will each be given copies.

## **1. Memorandum of Understanding**

This document sets out your background and details of incomes, assets and liabilities. It records your agreed proposals for any children, child support, division of assets and debts, maintenance, etc. It also sets out the goals you have tried to achieve and the reasoning that has influenced your decisions. It will describe the factors you may have taken into account in arriving at a fair settlement.

This document is legally privileged and without prejudice. It does not in itself create a legally binding agreement between you. Provided you both wish, your proposals can be made binding, quite simply, with the help of your solicitor or the Courts.

This document cannot be used in evidence in Court without mutual consent.

## **2. Open Summary of Financial Information**

This document records details of your present incomes, assets and liabilities and estimated future living expenses. It also lists the documents of verification each of you have provided.

It does not detail any of the agreed proposals reached in mediation. This is an open document that is not legally privileged. This document may be produced as evidence in Court without mutual consent.

## COURT INFORMATION

A divorce application and information pack is available by contacting or visiting your local court. Details of all the County Courts in Kent are as follows :

Ashford County Court  
The Court House  
Tufton Street  
Ashford  
Kent TN23 1QQ Tel : 01233 632464

Bromley County Court  
Court House  
College Road  
Bromley  
Kent BR1 3PX Tel : 020 8290 9620

Canterbury Combined Court Centre  
The Law Courts  
Chaucer Road  
Canterbury  
Kent CT1 1ZA Tel : 01227 819200

Dartford County Court  
Home Gardens  
Dartford  
Kent DA1 1DX Tel : 01322 629820

Gravesend County Court  
Court House  
26 King Street  
Gravesend  
Kent DA12 2DU Tel : 01474 321771

Maidstone Combined Court Centre  
The Law Courts  
Barker Road  
Maidstone  
Kent ME16 8EQ Tel : 01622 2020000

Medway County Court  
Anchorage House  
47-67 High Street  
Chatham  
Kent ME4 4DW Tel : 01634 810720

Thanet County Court  
The Court House  
2<sup>nd</sup> Floor  
Cecil Square

Margate  
Kent CT9 1RL

Tel : 01843 221722

Tunbridge Wells County Court  
Merevale House  
42-46 London Road  
Tunbridge Wells  
Kent TN1 1DP

Tel : 01892 515515

Her Majesty's Court Service website is available at [www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk) where you can find information about courts in your area, downloadable forms and guidance and general information.