

Legal Aid for Mediation

Will I qualify for Legal Aid for family mediation, and how does it work?

You may qualify for Legal Aid for family mediation if:

- You are in receipt of certain benefits including Universal Credit, Income-based Job Seekers Allowance; Income-based Employment Support Allowance; Income Support; Pension Guarantee Credit.
- You have a low disposable income –
 - Your gross income is less than £2,657 per month (including any partner that you live with) and your disposable income is less than £733 per month after deducting tax, NI, certain living expenses and a fixed sum for any dependent children under 18 years who are living with you.)
- You have capital or savings of less than £8,000 (excluding the value of property - this is more complex but in essence, if you have more than £100,000 in equity in your property, you are unlikely to qualify.)

In the situation where only one party is eligible for Legal Aid, the other party will still benefit as the MIAM, and the first mediation meeting will be free of charge for both parties. Further mediation meetings will be free of charge for the party eligible for Legal Aid, whilst the other party will pay the private fee after the first mediation meeting.

Evidence required for Legal Aid

Foort Tayler will provide an initial assessment on whether you are eligible for Legal Aid, either over the phone or at the MIAMS meeting. We will require the following documents from you in support of your application and in advance of the meeting:

- Evidence that you are currently in receipt of benefits or if you are employed, wage slips/proof of income, for the full prior month;
- The estimated value of your assets, such as your home and the balance outstanding on any mortgage(s);
- Bank statements (for all accounts in your name including any held jointly with another person) covering the full 1-month period prior to the meeting with the mediator;
- Proof of housing costs ie. mortgage/rent
- Proof of childcare fees (if applicable)

If you are self-employed:

- We will require proof of your drawings (ie. money you have used for personal and family use) for the 4-week period prior to your appointment, together with your last end of year tax assessment and accounts. This may involve more than one bank account statement.
- If you are using savings to supplement your income, copies of the bank accounts from which you are drawing, are required.
- If you live with parents/another person with whom you are not cohabiting, written confirmation of your residence and of any rent/keep payments being paid by you.
- Proof of any investment income.

- Proof of any money received to pay school fees (including by a third party ie. grandparents).
- Bank statements covering the 28-day period prior to your appointment.

If you are in receipt of pensions:

- Proof of your income from all pensions, including State Pension.
- Proof of any other income, ie. investment dividends.
- Proof of any rental income from any properties you may have an interest in.
- Proof of any maintenance received.
- Bank statements covering the 28-day period prior to your appointment.

You can check eligibility yourself at <https://www.gov.uk/check-legal-aid> (click on *Family* and then *Family Mediation*.)

Ministry of Justice Voucher Scheme

The MOJ are currently providing vouchers to accredited mediators for up to £500 for joint sessions where child arrangements are being discussed. For further details on the scheme and to check current availability please go to <https://www.familymediationcouncil.org.uk/mediation-vouchers/>

The voucher can be used in addition to Legal Aid funding.