

Family Mediation Initiative

The Legal Services Society (LSS) is implementing a family mediation initiative in response to requests from the bar for greater support for mediation services. This is one of the new projects LSS is undertaking with funds made available from the early retirement of its accumulated deficit. Through this initiative, LSS will provide limited funding for a maximum of 250 family cases that are amenable to mediation. LSS hopes this initiative will provide a viable alternative for people with low incomes to obtain final resolutions of their issues, even in high conflict cases.

If you have a family referral that involves issues you believe should be resolved through mediation, complete the Request for Authorization for Mediation form available on the “Guide to Legal Aid Tariffs” page, in the “For lawyers” section of LSS website (http://www.lss.bc.ca/for_lawyers/tariff_guide.asp). The form can be filled in onscreen and then printed, or filled in by hand. Send the completed form to the Tariff Services Division at LSS *either* by fax at (604) 681-7963, *or* by mail to 1500 – 1140 W. Pender Street, Vancouver, BC V6E 4G1. Send the form only *once*, using just one of these methods.

Mediation may be employed to resolve any of the wide range of family law issues, including custody and access, support, and property division. Each authorization will allow counsel —

- up to three hours to assist the client before and during the mediation process; *and*
- to retain a qualified mediator for up to six hours in accordance with the billing cautions in the Disbursements section of the *Guide to Legal Aid Tariffs* (the mediator’s name is required); *and*
- up to three hours to prepare any agreement or consent order that results from the mediation.

Note: Mediation time authorized under this project *replaces* the time on the Emergency Referral. Counsel may not combine the time to bill for nine hours; a maximum of six hours will be paid. Your authorization will set out billing details and codes.

For evaluation purposes, counsel and clients involved in the process must complete Evaluation and Results forms, which are also available on the “Guide to Legal Aid Tariffs” page of the LSS website, and can be filled in onscreen or by hand. The forms will help LSS determine whether mediation helped resolve some or all issues, which issues, and how the resolution was formalized, if at all. If the mediation was unsuccessful in resolving the issues, contributing factors will be identified.

A case will be authorized to go to mediation if counsel believes mediation is a viable option *and* all parties are willing to participate. As funding is limited, LSS will authorize only the first 250 requests.

All services must be completed and billings submitted by March 31, 2004. Any billings submitted after that date will not be honoured and will be returned to counsel.

Catherine McNeil
Director of Finance & Corporate Services