

Non-Court Dispute Resolution

Resolving Family Law Matters Outside the Courtroom

✦ Why Choose NCDR?

Family law disputes involve complex emotional and financial issues. NCDR offers a less combative, cost-effective, and emotionally manageable alternative to court proceedings. It helps preserve relationships (especially important where children are involved) and enables flexible, tailor-made solutions for divorce, financial settlements, and child arrangements.

NCDR Methods Available

Solicitor Negotiation

First step in dispute resolution. Settlements can be formalised into consent orders, making them legally binding upon judge approval.

Mediation

Voluntary process with neutral mediator. Requires MIAM meeting first. Agreements can be formalised by solicitors. Exemptions for abuse cases.

Collaborative Law

Specially trained lawyers help resolve issues through round table meetings. If unsuccessful, new representatives must be appointed.

Arbitration

Private process with binding decisions. Arbitrator hears evidence and makes an 'award'. More adversarial but maintains privacy.

Early Neutral Evaluation

Independent evaluator provides non-binding indication of likely court outcome to encourage realistic settlement discussions.

Private FDR

Mirror of in-court FDR. Judge provides indicative view on likely outcome. 'Without prejudice' allows safe negotiation environment.

✓ Benefits

- Cost-effective in most cases
- Quicker resolutions - no court delays
- Parties control process & outcome
- Privacy and confidentiality
- Flexible timing and approach
- Right experts for specific issues
- Fully prepared decision-makers
- Reduces conflict

⚠ Considerations

- No guaranteed resolution
- Private judges/mediators require fees
- Enforcement may still need court action if order breached

Quick FAQs

Is NCDR legally binding?

Arbitration is binding.
Mediation/collaborative law become binding when converted to court-approved consent orders.

Must I try mediation first?

Usually yes - MIAM attendance required unless exempt (e.g., domestic abuse, child safeguarding).

How much faster than court?

Significantly faster - court can take months or years, NCDR typically resolves much quicker.

What if NCDR fails?

Court application still possible. NCDR discussions are confidential and 'without prejudice'.