

Family Mediation Information and Assessment Meeting (MIAM)

To be completed by the court
The Family Court sitting at
Case reference

Before completing this form please read the information notes at the end of the form. This form is only to be used when making an application to the court on form C1 or C2 for one of the orders shown below.

Before completing this form please also read the leaflet 'CB1 – Making an application – Children and the Family Courts' and the leaflet CB7 - Guide for separated parents: children and the family courts. These leaflets are available from your local court or online at <https://www.gov.uk/government/collections/court-and-tribunal-forms>

Full name of applicant(s)

Full name of respondent(s)

You must attend a Mediation Information and Assessment Meeting (MIAM) **before** making an application to court using form C1 or form C2 for any of the following types of Children Act 1989 orders:

- A parental responsibility order (sections 4(1)(c), 4ZA(1)(c) or 4A(1)(b) of the Children Act 1989) or an order terminating parental responsibility (sections 4(2A), 4ZA(5) or 4A(3) of that Act).
- An order appointing a child's guardian (section 5(1) of the Children Act 1989) or an order terminating the appointment (section 6(7) of that Act).
- An order giving permission to change a child's surname or remove a child from the United Kingdom (sections 13(1) or 14C of the Children Act 1989).
- A special guardianship order or an order varying or discharging such an order (section 14D of the Children Act 1989).

This completed FM1 form must be sent to the family court, together with the relevant completed application form C1 or C2. This FM1 form is not an application form for a court order.

1. Requirement to attend a Mediation Information and Assessment Meeting (MIAM)

Before making an application for a

- A parental responsibility order (sections 4(1)(c), 4ZA(1)(c) or 4A(1)(b) of the Children Act 1989) or an order terminating parental responsibility (sections 4(2A), 4ZA(5) or 4A(3) of that Act).
- An order appointing a child’s guardian (section 5(1) of the Children Act 1989) or an order terminating the appointment (section 6(7) of that Act).
- An order giving permission to change a child’s surname or remove a child from the United Kingdom (sections 13(1) or 14C of the Children Act 1989).
- A special guardianship order or an order varying or discharging such an order (section 14D of the Children Act 1989).

you must first attend a Mediation Information and Assessment Meeting (MIAM). At the MIAM an authorised family mediator will consider with you (and the other party if present) whether family mediation, or another form of non-court dispute resolution, would be a more appropriate way for you to resolve the dispute. The mediator will also be able to signpost you to other help and support services.

You **must** have attended a MIAM before making this application **unless** the requirement to attend a MIAM does not apply because the Children Act 1989 order you are applying for:

- is for a consent order; **or**
- concerns a child who is the subject of separate ongoing emergency proceedings, care proceedings or supervision proceedings (or is already the subject of an emergency, care or supervision order); **or**
- you are exempt from the requirement to attend a MIAM. Where evidence is required to support a claimed exemption, this evidence must be provided with this application.

In some circumstances - such as where domestic abuse is involved - you may not need to attend a MIAM. Where evidence is required to support a MIAM exemption claim, this evidence must be provided with your application. For examples of what evidence is acceptable, please refer to section 2, pages 3-5. **When processing your application, the court will review the evidence provided to ensure that a MIAM exemption has been validly claimed.**

All applicants must complete section 1 and sign section 3 of this form.

In addition, you must tick one of the boxes below and ensure that you, your legal adviser, family mediator or NCDR professional completes and signs the relevant section(s) of this form as shown.

- | | | | |
|---|------------------------------|-----------------------------|---|
| 1a. Are there previous or ongoing proceedings for child(ren) for an emergency protection, care or supervision order? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | If Yes , to provide additional details on form C1 or C2 where shown.
Sections 2 or 4 of the FM1 form should be left blank. |
| 1b. Have you attended a MIAM? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | If No , please answer question 1b.
If Yes , you must ensure that the family mediator signs section 4.
If No , please answer question 1c. |
| 1c. Are you claiming exemption from the requirement to attend a MIAM? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | If Yes, complete section 2.
If No , you cannot make this application to court. Please refer to the leaflet ‘CB7 – Guide for separated parents: children and the family courts’ for further information on what to do next and how to arrange a MIAM. |

2. Applicant claims exemption(s) from attendance at a Mediation, Information and Assessment Meeting (MIAM)

To be completed by the person intending to make a court application or their solicitor. Where it is required, evidence of the claimed MIAM exemption(s) must be submitted to the court alongside this application. If you are unable to provide the required evidence with your application, please use the text box on page 9 to explain the reason(s) why.

The applicant has not attended a MIAM because the following MIAM exemption(s) applies:

- Domestic abuse (you must complete **section 2a**)
- Child protection concerns (you must complete **section 2b**)
- Urgency (you must complete **section 2c**)
- Previous MIAM attendance or previous MIAM exemption (you must complete **section 2d**)
- Other (you must complete **section 2e**)

Now complete the relevant section 2a, b, c, d or e by ticking the appropriate box(es)

Further details of MIAM exemption(s) claimed by the applicant

If you have claimed a MIAM exemption above you must also tick the relevant box(es), as shown below to confirm that you have the necessary evidence to support your ground(s) for exemption. Where required, you **must** submit this evidence with your application to court. Where you are asked to provide additional details you must do so.

Section 2a - Domestic abuse evidence

The applicant confirms that there is evidence of domestic abuse, as specified below:

This MIAM exemption requires the evidence you have selected to be submitted along with your application.

If you are unable to provide this, please use the text box on page 9 to explain the reason(s) why.

- evidence that a prospective party has been arrested for a relevant domestic abuse offence;
- evidence of a relevant police caution for a domestic abuse offence;
- evidence of relevant criminal proceedings for a domestic abuse offence which have not concluded;
- evidence of a relevant conviction for a domestic abuse offence;
- a court order binding a prospective party over in connection with a domestic abuse offence;
- a domestic violence protection notice issued under section 24 of the Crime and Security Act 2010 against a prospective party;
- a domestic abuse protection notice given under section 22 of the Domestic Abuse Act 2021 against a prospective party;
- a relevant protective injunction;
- an undertaking given in England and Wales under section 46 or 63E of the Family Law Act 1996 (or given in Scotland or Northern Ireland in place of a protective injunction) by a prospective party, provided that a cross-undertaking relating to domestic violence or abuse was not given by another prospective party;
- a copy of a finding of fact, made in proceedings in the United Kingdom, that there has been domestic abuse by a prospective party;
- an expert report produced as evidence in proceedings in the United Kingdom for the benefit of a court or tribunal confirming that a person with whom a prospective party is or was personally connected, was assessed as being, or at risk of being, a victim of domestic abuse by that prospective party;

Section 2a - Domestic abuse evidence - **continued**

- a letter or report from an appropriate health professional confirming that
 - (i) that professional, or another appropriate health professional, has examined a prospective party in person, by telephone or by video conferencing and
 - (ii) in the reasonable professional judgment of the author or the examining appropriate health professional, that prospective party has, or has had, injuries or a condition consistent with being a victim of domestic abuse;
- a letter or report from-
 - (i) the appropriate health professional who made the referral described below;
 - (ii) an appropriate health professional who has access to the medical records of the prospective party referred to below; or
 - (iii) the person to whom the referral described below was made;confirming that there was a referral by an appropriate health professional of a prospective party to a person who provides specialist support or assistance for victims of, or those at risk of, domestic abuse;
- a letter from any person who is a member of a multi-agency risk assessment conference (or other suitable local safeguarding forum) confirming that a prospective party, or a person with whom that prospective party is personally connected, is or has been at risk of harm from domestic abuse by another prospective party;
- a letter from an independent domestic violence advisor (IDVA) confirming that they are providing or have provided support to a prospective party;
- a letter from an independent sexual violence advisor (ISVA) confirming that they are providing or have provided support to a prospective party relating to sexual violence by another prospective party;
- a letter from an officer employed by a local authority or housing association (or their equivalent in Scotland or Northern Ireland) for the purpose of supporting tenants containing-
 - (i) a statement to the effect that, in their reasonable professional judgment, a person with whom a prospective party is or has been personally connected to is, or is at risk of being, a victim of domestic abuse by that prospective party;
 - (ii) a description of the specific matters relied upon to support that judgment; and
 - (iii) a description of the support they provided to the victim of domestic abuse or the person at risk of domestic abuse by that prospective party;
- a letter which-
 - (i) is from an organisation providing domestic abuse support services, which letter confirms that it-
 - (a) is situated in the United Kingdom,
 - (b) has been operating for an uninterrupted period of six months or more; and
 - (c) provided a prospective party with support in relation to that person's needs as a victim, or a person at risk, of domestic abuse; and
 - (ii) contains-
 - (a) a statement to the effect that, in the reasonable professional judgment of the author of the letter, the prospective party is, or is at risk of being, a victim of domestic abuse;

Section 2a - Domestic abuse evidence - **continued**

- (b) a description of the specific matters relied upon to support that judgment;
- (c) a description of the support provided to the prospective party; and
- (d) a statement of the reasons why the prospective party needed that support;

- a letter or report from an organisation providing domestic abuse support services in the United Kingdom confirming-
 - (i) that a person with whom a prospective party is or was personally connected was refused admission to a refuge;
 - (ii) the date on which they were refused admission to the refuge; and
 - (iii) they sought admission to the refuge because of allegations of domestic abuse by the prospective party referred to in paragraph (i);
- a letter from a public authority confirming that a person with whom a prospective party is or was personally connected, was assessed as being, or at risk of being, a victim of domestic abuse by that prospective party (or a copy of that assessment);
- a letter from the Secretary of State for the Home Department confirming that a prospective party has been granted leave to remain in the United Kingdom as a victim of domestic abuse;
- evidence which demonstrates that a prospective party has been, or is at risk of being, the victim of domestic abuse by another prospective party in the form of abuse which relates to financial matters.

Section 2b – Child protection concerns

The applicant confirms that a child would be the subject of the application and that child or another child of the family who is living with that child is currently—

- the subject of enquiries by a local authority under section 47 of the Children Act 1989 Act; or
- the subject of a child protection plan put in place by a local authority.

Section 2c – Urgency

The applicant confirms that the application must be made urgently because:

- there is risk to the life, liberty or physical safety of the prospective applicant or his or her family or his or her home; or
- any delay caused by attending a MIAM would cause—
 - a risk of harm to a child; or
 - a risk of unlawful removal of a child from the United Kingdom, or a risk of unlawful retention of a child who is currently outside England and Wales; or
 - a significant risk of a miscarriage of justice; or
 - significant financial hardship to the prospective applicant; or
 - irretrievable problems in dealing with the dispute (including the irretrievable loss of significant evidence); or
- there is a significant risk that in the period necessary to schedule and attend a MIAM, proceedings relating to the dispute will be brought in another state in which a valid claim to jurisdiction may exist, such that a court in that other State would be seized of the dispute before a court in England and Wales.

Section 2d – Previous attendance of a MIAM or non-court dispute resolution evidence

This MIAM exemption requires the evidence you have selected to be submitted along with your application.

If you are unable to provide this, please use the text box on page 9 to explain the reason(s) why.

Section 2e – Other exemptions

Please provide any additional information requested in the text box on page 8.

The applicant confirms that one of the following applies:

- in the 4 months prior to making the application, the person attended a MIAM or a non-court dispute resolution process relating to the same or substantially the same dispute; and where the applicant attended a non-court dispute resolution process, there is evidence of that attendance in the form of written confirmation from the dispute resolution provider. This evidence should be submitted alongside your application, and must include the signature of the provider; or
- The application would be made in existing proceedings which are continuing and the prospective applicant attended a MIAM before initiating those proceedings. The MIAM provider must complete and sign section 3 of this form. Or, if you were the respondent in existing proceedings, please provide the date of the MIAM alongside the name and contact details of the MIAM provider in the text box on page 8.

The applicant confirms that one of the following other grounds for exemption applies:

- the application would be made without notice (Paragraph 5.1 of Practice Direction 18A sets out the circumstances in which applications may be made without notice.)
- a child is one of the prospective parties.
- (i) the prospective applicant is not able to attend a MIAM online or by video-link and an explanation of why this is the case is provided to the court using the text box on page 8; and
 - (ii) the prospective applicant has contacted as many authorised family mediators as have an office within fifteen miles of his or her home (or five of them if there are five or more), and all of them have stated that they are not available to conduct a MIAM within fifteen business days of the date of contact; and
 - (iii) the names, postal addresses and telephone numbers or e-mail addresses for the authorised family mediators contacted by the prospective applicant, and the dates of contact, are provided to the court in the text box on page 8.
- (i) the prospective applicant is not able to attend a MIAM online or by video-link and an explanation of why this is the case is provided to the court using the text box on page 8; and
 - (ii) the prospective applicant is subject to a disability or other inability that would prevent attendance in person at a MIAM unless appropriate facilities can be offered by an authorised mediator; and
 - (iii) the prospective applicant has contacted as many authorised family mediators as have an office within fifteen miles of his or her home (or five of them if there are five or more), and all have stated that they are unable to provide such facilities; and
 - (iv) the names, postal addresses and telephone numbers or e-mail addresses for such authorised family mediators, and the dates of contact, are provided to the court using the text box provided.
- (i) the prospective applicant is not able to attend a MIAM online or by video-link; and
 - (ii) there is no authorised family mediator with an office within fifteen miles of the prospective applicant's home; and
 - (iii) an explanation of why this exemption applies is provided by the prospective applicant to the court using the text box on page 8.

- the prospective applicant cannot attend a MIAM because the prospective applicant is
 - (i) in prison or any other institution in which the prospective applicant is required to be detained and facilities cannot be made available for them to attend a MIAM online or by video link; or
 - (ii) subject to conditions of bail that prevent contact with the other person; or
 - (iii) subject to a licence with a prohibited contact requirement in relation to the other person.

Section 2 – continued

Please provide any additional information requested in the text box below.
If this is not enough space, please use an additional information page and
attach it with this form.

Section 2 - Unable to provide the required evidence to support a MIAM exemption claim

If you are unable to provide the required evidence to support a MIAM exemption claim with your application, use the text box below to briefly explain the reason(s) why.

Now complete Section 4.

3. Mediator certifies that the prospective applicant is exempt from attendance at Mediation Information and Assessment Meeting (MIAM) or confirms MIAM attendance

To be completed and signed by an authorised family mediator, as the MIAM provider.

NCDR refers to non-court dispute resolution, and means methods of resolving a dispute other than through the court process, including but not limited to mediation, arbitration, evaluation by a neutral third party (such as a private Financial Dispute Resolution process) and collaborative law.

(tick the boxes that apply)

Name of participant(s)

The applicant attended a MIAM:

- The applicant only attended a MIAM.
- The applicant and respondent(s) have each attended a separate MIAM.

Mediation or other form of NCDR is not proceeding because:

- The applicant has attended a MIAM alone and
- the applicant does not consider it appropriate to start or continue mediation or any other form of NCDR at this time; or
 - the mediator has indicated that mediation or any other form of NCDR is unsuitable at this time; or
 - the respondent has not attended a MIAM, attempted mediation or attempted another form of NCDR at this time.
- Both the applicant and respondent(s) have attended a MIAM and
- the applicant does not consider it appropriate to start or continue mediation or any other form of NCDR at this time; or
 - the respondent(s) does not consider it appropriate to start or continue mediation or any other form of NCDR at this time; or
 - the mediator has indicated that mediation or any other form of NCDR is unsuitable at this time.
- An NCDR process is about to start or has started but:
- has broken down; or
 - has concluded with some or all issues unresolved; or
 - the applicant considers that there is a need to make a court application in parallel.

Signed

Authorised Family Mediator

(a family mediator who is authorised to undertake MIAMs)

FMC
Registration no.

Family
Mediation
Service name

Sole trader
name

Address

Dated

4. Statement of truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I believe that the facts stated in this application are true.

The applicant believes that the facts stated in this application are true.
I am authorised by the applicant to sign this statement.

Signature

Applicant

Applicant's legal representative (as defined by FPR 2.3(1))

Date

Day

Month

Year

Full name

Name of applicant's legal representative's firm

If signing on behalf of firm or company give position or office held

General information for completing this form

1. You need to complete this form and send it to the court with a completed application form C1 or C2 if you want to ask the court to make an (or change an existing) order about a child(ren) and your application is for:
 - A parental responsibility order (sections 4(1)(c), 4ZA(1)(c) or 4A(1)(b) of the Children Act 1989) or an order terminating parental responsibility (sections 4(2A), 4ZA(5) or 4A(3) of that Act).
 - An order appointing a child's guardian (section 5(1) of the Children Act 1989) or an order terminating the appointment (section 6(7) of that Act).
 - An order giving permission to change a child's surname or remove a child from the United Kingdom (sections 13(1) or 14C of the Children Act 1989).
 - A special guardianship order or an order varying or discharging such an order (section 14D of the Children Act 1989).

Requirement to attend a Mediation, Information and Assessment Meeting

2. It is a legal requirement to attend a Mediation Information and Assessment Meeting (MIAM) before applying to the family court, unless a valid exemption applies. This means that before submitting your application, you (the applicant) must meet with a mediator to find out about options for resolving your dispute out of court. The other party (the respondent) is expected to attend either the same MIAM or a separate MIAM.
3. At the MIAM, a trained family mediator will give you (the applicant) and the other person if present (the respondent) information about different options for non-court dispute resolution, such as mediation. They will consider with you whether non-court dispute resolution would be an appropriate way to resolve the dispute. It is then for the applicant and respondent to decide what to do next.
4. The requirement for the applicant to attend a MIAM does not apply if a Children Act 1989 order is being applied for and:
 - the other person is in agreement about what you are asking the court to order (the order is a "consent order"); or
 - there is an ongoing case about the child(ren) who would be the subject of the new Children Act 1989 application and that case concerns an emergency protection order, a supervision order or a care order, or if one of those orders has previously been made.

5. You must tick the relevant box in Section 1 of this form so that the court knows whether the MIAM requirement applies, whether an exemption applies (and why) or whether you have attended a MIAM.

MIAM exemptions and MIAM attendance

6. As the applicant you are expected to have contacted an authorised family mediator in order to make arrangements to attend a MIAM unless :
 - the MIAM requirement does not apply for one of the reasons explained at paragraph 4 of these notes, or
 - you are claiming a MIAM exemption.
7. You can find an authorised family mediator by using the 'Find your local mediator' search facility available at: www.familymediationcouncil.org.uk
8. You should give the mediator the contact details of the other person so that the family mediator can contact them to invite them to attend a MIAM, either with you or separately.
9. If you or your solicitor believe that you are exempt from the requirement to attend a MIAM, you or your solicitor must tick the relevant box in Section 1 of this form and complete Section 2.
10. If you have attended a MIAM you must ask the family mediator who conducted the MIAM to complete Section 3 of this form and sign it where shown.
11. If you claim a MIAM exemption and make an application to the court, the court will inquire into the grounds for exemption. For some MIAM exemptions, evidence is required to prove that your claim is valid. When claiming an exemption due to domestic abuse or due to prior attendance at a non-court dispute resolution process, you must provide evidence of this to the court along with this form.
12. If the court determines that any MIAM exemption(s) claimed are not valid, or no longer valid, you will be asked to attend a MIAM before your application is taken any further.
13. The detailed procedure relating to the MIAM requirement and MIAM exemptions and attendance is set out in Part 3 of the Family Procedure Rules and in supporting Practice Direction 3A. These are available online at: www.justice.gov.uk/courts/procedure-rules/family/practice-directions/pd_part_03a

Paying for MIAM attendance or for family mediation

14. Legal aid is available for MIAMs and for family mediation. If you are eligible for legal aid you could receive both the MIAM and mediation sessions free of charge, as well as some advice from a solicitor to support you in the mediation process.
15. If you, or the prospective respondent, is eligible for Legal Aid then the total cost of MIAM attendance can be met by the Legal Aid Agency, whether you and the prospective respondent attend the same MIAM or separate MIAMs.
16. If neither you nor the respective respondent is eligible for Legal Aid then the mediator will agree with you how the cost of MIAM attendance is to be met.
17. See paragraph 28 below on how to find out whether you are eligible for Legal Aid.

Safety and MIAM attendance

18. Please note: the family mediator will discuss with you and with the other person whether you wish to attend the MIAM separately or together. Family mediators have a responsibility to ensure the safety and security of all concerned and will always check with each of you that attending together is your individual choice and is safe.

Information about mediation

19. If suitable, mediation can be a better way of resolving issues about arrangements for children when you and your partner separate or divorce. Mediation can be less expensive than going to court and much less stressful for all the family. It can also help you as parents to focus on your child(ren)'s needs in making decisions about them.
20. Family Mediation is an impartial process that involves an independent third person who assists both parties involved in a family dispute to reach a resolution. Family mediation can be used to settle any or all of the following issues:
 - Arrangements for children
 - Financial arrangements and dividing up property
 - Any combination of these
 - Any other disputes to do with separation and divorce.
21. Family Mediation is not just for divorcing or separating couples – it is a means for resolving a range of family disputes, whether they arise from divorce or the separation of cohabiting parents. Family Mediation could also help resolve issues with wider family members such as grandparents.

22. The family mediator helps the process of negotiation between the parties to agree their own arrangements by way of a Memorandum of Understanding. You can ask a solicitor, if you have one, to check the Memorandum of Understanding.
23. If both parties agree, you can ask the court to endorse what you have agreed by issuing a consent order. The mediator will help you to decide whether your case is complicated and does in fact need the court to consider your situation and make an order. The mediator should also tell you about other local services and options for resolving your dispute.
24. A statutory Mediation Information and Assessment Meeting (MIAM) is reserved for “authorised mediators” under the Family Procedure Rules. “Authorised family mediator” means a person identified by the Family Mediation Council as qualified to conduct a MIAM. “Qualified to conduct a MIAM” is interpreted as holding current Family Mediation Council accreditation (FMCA). FMCA mediators are issued with a unique FMC registration number. Authorised mediators are requested to enter this number in the box provided.
25. To find out more about different forms of NCDR, please go to <https://helpwithchildarrangements.service.justice.gov.uk/>.

Further information and sources of help

26. General information about family mediation is available from the Family Mediation Council website at: www.familymediationcouncil.org.uk
27. The family mediator who undertakes the MIAM for you must be a member of a national mediation organisation which adheres to the Family Mediation Council's Code of Conduct and the mediator must be authorised to conduct MIAMs. The service finder will help you find such a local mediator.
28. You can find out more about legal aid for family matters, including whether you may be eligible for legal aid, on the Legal Aid Information Service on the Gov.UK site at: www.gov.uk/check-legal-aid or you can telephone the Civil Legal Advice direct helpline 0345 345 4345.
29. For general advice on separation services and options for resolving disputes: www.sortingoutseparation.org.uk
30. For general advice about sorting out arrangements for children, the use of post-separation mediation, and/or going to court: www.advicenow.org.uk; www.advicenow.org.uk/guides/survival-guide-sorting-out-arrangements-your-children
31. For general advice about sorting out arrangements for children: www.theparentconnection.org.uk/

32. For advice about Contact Centres, which are neutral places where children of separated families can enjoy contact with their non-resident parents and sometimes other family members, in a comfortable and safe environment; and information about where they are: www.naccc.org.uk
33. For help with taking a case to court without a solicitor, Support Through Court
www.supportthroughcourt.org
34. For guidance on representing yourself at court, including a list of commonly used terms that you may come across: <https://www.barcouncil.org.uk/bar-council-services/for-the-public.html>
35. For advice about finding and using a family law solicitor see: Law Society www.lawsociety.org.uk, and Resolution (family law solicitors):
www.resolution.org.uk
36. For advice about finding using a family law barrister: see <http://www.barcouncil.org.uk/using-a-barrister/find-a-barrister/> and for arrangements for using a barrister directly see <http://www.barcouncil.org.uk/using-a-barrister/how-to-instruct-a-barrister/>
37. Judicial guidance that sets out the approach of the courts to deciding child arrangements is available online at: www.justice.gov.uk/courts/procedure-rules/family/practice_directions/pd_part_12b

Online videos

38. There are several videos explain more about the mediation process, making your application, what will happen in court and will help you prepare for the hearing. To watch the videos visit www.bit.ly/guides_for_separating_parents