

## News Release

### More help options for families facing divorce

#### *Family Justice Courts and Singapore Mediation Centre collaborate on early interventions to help couples resolve matters amicably*

**Singapore, 18 May 2015** – The Family Justice Courts (the “FJC”) and the Singapore Mediation Centre (“SMC”) are collaborating to offer more options for parties to resolve their family disputes amicably and even before filing the divorce papers.

2 SMC now has a panel of CFP lawyers, and a Family Panel of mediators. The CFP lawyers have undergone a collaborative family law programme conducted by SMC and supported by the FJC, and the Family Panel of mediators have undergone a training accreditation programme designed by SMC and the FJC.

3 Besides using specially trained CFP lawyers, couples can also seek to settle the grounds of divorce and post-divorce issues such as division of assets, maintenance payments or custody of children through a private family mediation session conducted at SMC.

4 Taking place before any court action is initiated, CFP is an interest-based approach to negotiations dealing with matrimonial disputes. Parties involved in CFP enter into an agreement to attempt to settle matters through negotiations in good faith. The unique feature of CFP is that CFP lawyers involved in the negotiations cannot represent their clients in future litigation if a settlement is not reached.

5 In private mediation, a neutral person works with the parties to resolve their differences. The parties involved make their own decisions, usually with the help of their lawyers, and the cases are often resolved within a day. At SMC, three out of four cases are settled. “Engaging a mediator, a professional trained and assessed to have the requisite conflict resolution skills, helps resolve disputes efficiently; saving parties money, time and giving parties control over the outcome,” said Mr Loong Seng Onn, Executive Director of SMC.

6 Where parties are able to come to agreement on all issues between them on the divorce, whether through the CFP process, or through private family mediation, they can file their divorce papers together with a draft consent order in the FJC and their applications would be put through a simplified divorce process. This process is aimed at reducing the time needed and the stress of going through a divorce.

7 At the FJC’s work plan seminar this year, Chief Justice Sundaresh Menon encouraged a wider use of CFP and private mediation, where parties can work together to resolve divorce issues early and in the process reduce acrimony.

8 “Family disputes often are multi-dimensional, carrying many issues beyond the legal aspects” said a spokesperson from the FJC. “When disputes reach a point where a divorce is being contemplated, it is prudent for the parties to consider all their options to resolve their differences. Early intervention with professional assistance may help to reduce acrimony and result in workable outcomes for all. This

is especially important where there are children or extended family members who are affected by the dispute between the two parties.” FJC have, since 1 January 2015, put in place a simplified process for parties who have resolved all issues early.

9 CFP and private mediation are part of a larger framework of services and support programmes available for families facing divorce. These include the Primary Justice Project (“PJP”). Launched in May 2014 and administered by the Community Justice Centre, the PJP is a scheme in which litigants pay a fixed fee for basic legal services geared towards resolving all the divorce issues, before action in court is commenced.

See the info-graphic at Annex A and the enclosed factsheet at Annex B for more information on the various programmes.

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### **About the Family Justice Courts**

Established in 2014, the Family Justice Courts (“FJC”) are a restructure of the Court system to better serve litigants by bringing together all family related work under a specialised body of courts. The FJC are comprised of the Family Division of the High Court, the Family Courts and the Youth Courts and is administered by the Presiding Judge of the FJC. The cases dealt with by the FJC include those relating to divorce and ancillary matters, family violence, maintenance, adoption and guardianship, youth matters, mental capacity and probate and succession. Its mission is to make justice accessible to families and youth through effective counselling, mediation and adjudication.

### **About the Singapore Mediation Centre**

Established in 1997, the Singapore Mediation Centre (“SMC”) pioneered the use of mediation as the mainstream mechanism for dispute resolution, as well as training in negotiation and conflict management. Today, SMC offers a suite of alternative dispute resolution services which brings clarity and objectivity to complex situations. These services include mediation, neutral evaluation and collaborative family practice. Through their panel of professional mediators with legal and industry expertise, SMC is well-placed to manage difficult negotiations and unlock standstills by providing cost-effective and timely solutions. At SMC, the vision is to help all parties fully appreciate the value of mediation as a strategic risk-management tool that they can count on.

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# About Divorce

What you need to know



Parties who wish to resolve the grounds for divorce and ancillary matters (e.g. maintenance, division of matrimonial properties and assets, and parenting arrangements for children) can opt for the following:

Pre-Court options

### Collaborative Family Practice (CFP)

- Parties who are willing to negotiate in good faith
- To approach SMC for Panel of CFP Lawyers

### Private Mediation

- Parties who value their privacy
- To approach SMC for Family Panel

### Primary Justice Project (PJP) @ Community Justice Centre (CJC)

- Parties who do not qualify for legal aid and who cannot afford to engage a lawyer
- To approach the Community Justice Centre (CJC) located at State Courts for assistance

## Court

- Simplified and faster process for cases where all matters are resolved even before coming to court
- Counselling & Mediation for amicable resolution of disputes
- Judge-led approach in case management for expeditious handling of cases

  
**FAMILY JUSTICE COURTS**  
 S I N G A P O R E



## Post-Court Divorce Support Specialist Agencies

- Help divorced couples with minor children
- Provide a better understanding to parents of their continuing role as co-parents

**Fact sheet**

If you would like to

- Work out the parenting arrangements for your children amicably
- Resolve the grounds for the divorce, and divorce related ancillary matters (e.g. maintenance, division of matrimonial properties and assets, and parenting arrangements for children)
- Maintain a cordial working relationship for the sake of your children
- Avoid litigation or fighting it out in court and airing dirty linen in public
- Resolve all matters before going to court

**Options to consider before divorce papers are filed in court**

	<b>Who should consider?</b>	<b>What is it?</b>	<b>Benefits</b>
<b>1. Collaborative Family Practice (“CFP”)</b>	<ul style="list-style-type: none"> <li>• Parties who value their privacy</li> <li>• Parties who are willing to negotiate in good faith</li> </ul>	<ul style="list-style-type: none"> <li>• Involves CFP-trained lawyers for each party.</li> <li>• Negotiations between parties can also involve other specialists such as child experts or financial advisers.</li> <li>• Parties will provide full and honest disclosure of all relevant information and documents and will not litigate or threaten litigation while engaged in the process.</li> <li>• Parties will have to hire new lawyers if no settlement is reached and they decide to litigate.</li> </ul>	<ul style="list-style-type: none"> <li>• Less confrontational.</li> <li>• Enable parties to control the outcome and decide on options that best suits the needs of the family, especially their children.</li> <li>• Confidentiality.</li> <li>• Potential to achieve a speedier and more cost effective result. The process typically involves about four, 2 hour 4-way meetings between the CFP lawyers and parties. The duration of the whole CFP process takes about 2 -3 months, depending on the complexity of the case. Once an agreement has been reached, FJC can expedite the process, and grant the interim judgement for divorce and relevant orders in 4 to 8 weeks instead of up to 4-6 months.</li> </ul>

<p><b>2. Private Mediation</b></p>	<ul style="list-style-type: none"> <li>Parties who value their privacy</li> </ul>	<ul style="list-style-type: none"> <li>A mediator (who is a neutral person) works with the parties to resolve their differences.</li> <li>Parties can approach SMC for a mediator from its Family Panel, which includes mediation trained judges and family lawyers.</li> <li>Parties make their own decisions and settle only when they are satisfied with the terms that they have mutually agreed to, with the help of the mediator.</li> </ul>	<ul style="list-style-type: none"> <li>Parties have full control over outcome. They do not run the risk of having an unfavourable decision imposed upon them by a judge or arbitrator.</li> <li>Faster resolution of disputes. Of the cases that settle at SMC, more than 90% are concluded within one working day.</li> <li>Confidentiality; Any matter discussed during the mediation cannot be used against parties in court nor in arbitration, should parties decide to litigate or arbitrate if mediation is not successful.</li> </ul>
<p><b>3. Primary Justice Project ("PJP")</b></p>	<ul style="list-style-type: none"> <li>Parties who do not qualify for legal aid and who cannot afford to engage a divorce lawyer on standard fees</li> </ul>	<ul style="list-style-type: none"> <li>Parties pay a fixed fee for basic legal services to engage a Primary Justice Project lawyer who will help them to explore various options to resolve the dispute.</li> <li>The PJP lawyer will help the client negotiate with the other party, represent the client during mediation and provide post-mediation assistance, if necessary.</li> <li>PJP is administered by the Community Justice Centre (an independent charity offering services to court users who have no legal representation).</li> <li>50 volunteer lawyers trained by SMC in mediation and mediation advocacy skills are on the PJP panel.</li> </ul>	<ul style="list-style-type: none"> <li>Affordable; fixed fees.</li> <li>Instead of resorting to self-representation, litigants can have access to professional legal advice and services, to help them resolve the disputes quickly and amicably without litigating the matter in court.</li> </ul>