

**SINGAPORE MEDIATION CENTRE
COLLABORATIVE FAMILY PRACTICE
SERVICE**

Frequently Asked Questions

1. How are negotiations between CFP lawyers different to other negotiations between lawyers?

If settlement is not reached in the CFP process, parties need to instruct new lawyers if they decide to litigate. This acts as a disincentive for parties to terminate the CFP process and removes the attraction for CFP lawyers of any potential remuneration from litigation.

CFP lawyers also receive specialist training with a focus on working together to support their respective clients in reaching a fair, sustainable agreement.

2. How does CFP differ from the Matrimonial Mediation Scheme offered by SMC?

Mediation involves a neutral third party facilitating the negotiations between parties, whereas the CFP process involves lawyers assisting their clients to jointly resolve their dispute without any intervention by a third party. If CFP does not result in settlement, the parties may choose to proceed to mediation.

3. How will parties benefit from CFP compared to litigation in court?

The less confrontational process makes it more likely that the parties will maintain a respectful ongoing relationship. This is particularly important where children are involved.

CFP allows the parties to control the outcome, and this flexibility allows them to reach the most suitable outcome for their family. It is possible for couples to select options that are far more creative and better tailored to the needs of their family than a court decision.

Other benefits include the confidentiality of the process, reduced stress, and the potential to achieve a speedier, more cost-effective result.

4. What advantages does CFP offer over mediation through the Family Justice & Juvenile Division of the Subordinate Courts of Singapore (FJJD)?

Mediation through the FJJD is only available once proceedings have been issued. The parties would have already been exposed to additional cost, stress and acrimony before mediation is offered. During the CFP process, there is no threat of litigation hanging over the parties. The focus can therefore remain firmly on solutions that meet the parties' needs, rather than what their rights are.

5. What happens where CFP results in settlement?

Where parties have reached a binding agreement arising out of SMC's CFP process, and if the papers are in order, the FJJD will prioritise these cases to have their agreements recorded as consent orders.

6. Are all matrimonial disputes suitable for CFP?

Most disputes will be suitable for CFP. It may not be suitable where: one of the parties is incapacitated in some way; there is a history of violence or substance abuse; or there are serious concerns about dishonesty.