



Dispute Resolution at
36 Family



Our Services

We at 36 Family have been pioneers in the promotion of Dispute Resolution. We offer a full choice of Dispute Resolution: for financial disputes, Arbitration, Mediation and Private FDRs.

We have a wide range of expert dispute resolution practitioners to suit all cases and budgets. A number of our practitioners also sit as judges, as Deputy District Judges, Records and Deputy High Court Judges. All of our dispute resolution can take place entirely remotely, through our own virtual facilities.

Why choose 36 Family for NCDR?

36 Family is a top-ranked Family Law set of Chambers in both family finance and children law. We are proud of our reputation for being user-friendly, reasonably priced and at the very top of the market when it comes to the quality of our barristers. We are much used for dispute resolution services by those who want to resolve their family disputes quickly, and less expensively, in more civilized surroundings, at a time or place of their choice, with a dispute resolution professional of their choice, in an environment which will reduce rather than provoke conflict and with the certainty of confidentiality, no matter how high-profile the client. We use state-of-the-art IT, which we offer, for no extra charge, whether you book one of our barristers as a judge, arbitrator, mediator, evaluator or as Counsel in any of the these.

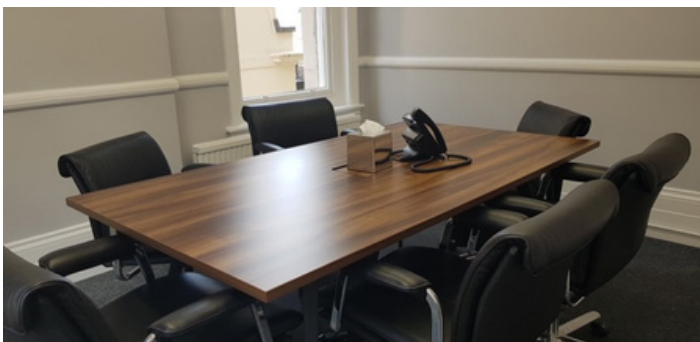
These virtual facilities allow for completely remote dispute resolution via Zoom, which can easily operate even if all participants are geographically apart from each other. The parties and their legal teams enjoy complete privacy, with their own virtual breakout rooms, for use before, during or after joining the main 'hearing', in stark contrast both to face-to-face and remote hearings as currently offered by the courts. This space is entirely secluded, offering complete privacy and confidentiality. It includes rooms for each of the parties, a room for joint sessions and a break-out room for sidebar discussions.

Our dedicated team of award-winning clerks will be on hand to assist with the setting up of all such appointments, making the whole process much easier for you, enabling you to carry on with the more important tasks in your working day.

At 36 Family, we pride ourselves on creating a welcoming environment for everyone. Our friendly reception team is always on hand to ensure you feel at ease from the moment you arrive.

If you have specific needs, we will gladly make the necessary arrangements.

For details of our competitive fees, availability, or any further questions you may have, please contact one of our clerks on 020 7421 8019, or at clerks@36family.co.uk



Mediations

Mediation is a dynamic, structured, interactive process in which an impartial third party helps disputing parties to resolve conflict through the use of specialised communication and negotiation techniques.

At 36 Family we have experienced barristers who are qualified mediators both in civil mediation and in family mediation (e.g. by 'shuttle' mediation with the parties in different rooms, or by joint mediation with the parties in the same room with the mediator, and with lawyers present at the mediation or with the parties attending without lawyers).



Mediation allows the parties to retain control over the resolution of their dispute. It is a far less stressful way of dealing with the most important and sensitive issues that matter to parents, family members and carers. The process of mediation has the added benefit of improving communication and trust between parties whilst at the same time obtaining swift agreement on important issues.

For high profile clients mediation is a way of keeping details of your relationship(s) out of the public eye.

Mediation is a private space where sensitive issues (and issues which a court may deem irrelevant but are important to clients) can be safely and confidentially explored. Clients control the pace of mediation with complete flexibility over when the next mediation takes place.

36 Family Mediators

Hannah Markham KC
Andrzej Bojarski KC
Jamie De Burgos
Niki Langridge
Rhys Taylor
Zoe Saunders

Finance

36 Family's team of family finance barristers are recognised domestically and internationally as amongst the best in the field.

Our thriving team includes leading specialists in all aspects of matrimonial and family finance, from cases concerning modest assets through to high value cases involving injunctive relief, businesses, trusts, cryptoassets, third party interests or international dimensions.

Our barristers have acted in important cases at every level of court up to and including the Supreme Court, as well as overseas.

Several members of the team are particularly noted for their expertise in property and chancery disputes between unmarried couples, civil partners or extended family, inheritance disputes, and claims relating to the maintenance of children.

Members of 36 Family have in the forefront of developing out of court resolution of financial disputes arising from family breakdown.

As a team within the 36 Group, we are able to call upon the expertise of our fellow teams in areas such as employment, insolvency and crime when required. We excel in those family finance cases where family law collides with other areas of law.

Areas of Experience:

- Financial remedies on divorce
- Unmarried couples and same-sex partnerships
- Children Act financial claims
- Inheritance Act claims
- Property Disputes Between Extended Family
- Divorce Agreements – Nuptial, Cohabitation and Separation
- Dispute Resolution – Family Arbitration, Mediation and Neutral Evaluation (Private FDRs)
- International family law (e.g. financial relief following overseas divorce, enforcement of English orders in overseas jurisdictions, including in relation to offshore trusts)
- Court of Protection and resolution of financial affairs of individuals in complex family financial proceedings

Private Financial Dispute Resolution Appointments

FDRs are very well known to family practitioners as a key mechanism for resolving many financial remedy claims with a very high success rate. For various reasons the court system does not always offer effective FDR appointments.

The Senior Judiciary have for some time been promoting the use of private FDRs. These are similar to court-based FDRs but with the benefit of an expert tribunal agreed between the parties, set in a chambers or solicitors' office (or done remotely by video-conferencing) at a time which is convenient to the parties.

The case is the tribunal's only concern for the duration of the session which allows for more time in the hearing and closer supervision and encouragement of the negotiations thereafter.

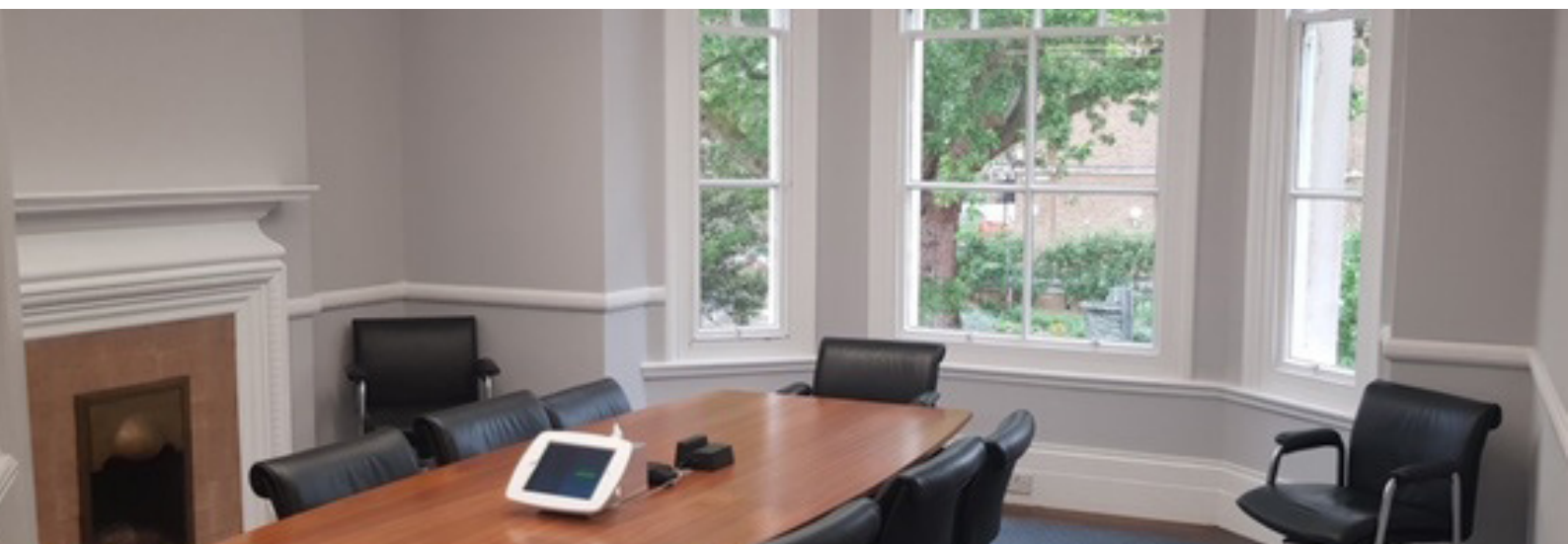
The guidance from the courts is that a private FDR will satisfy the requirements for there to be an FDR and in the event that a private FDR does not settle matters, the court will nearly always then list for a final hearing without requiring a second in court FDR. Alternatively, the parties may prefer to opt for an arbitration.

Chambers is also to offer a "full day" remote private FDR and also "quick fire" 2-hour sessions, which are priced accordingly. Our members who offer private FDRs are experienced financial remedies' practitioners. Many are also trained mediators, giving them additional dispute resolution skills.

Private FDR Judges/Evaluators

Andrzej Bojarski KC
Paul Infield
Mercy Akman
Stuart Nichols
Gerald Wilson
Niki Langridge
Rhys Taylor
Marisa Allman
Chris Carr
Zoe Saunders
Gavin Lyon
Lauren Lanson

Gwynfor Evans
Rebecca Rothwell
Emily Ward
Amelia Wilson
Pranjali Shrotri
Hannah Jones
George Harley
Chloe Kenvin
Marc Samuels
Michael Hayes
Nicholas Marsh
Emily Ward



Guide to our NCDR Services Arbitration

Arbitration is a form of dispute resolution which takes place outside a formal court room. It differs from mediation in that the arbitrator (like a judge) makes a decision which is binding on the parties (like a court judgment). It gives the parties decisive finality. The parties enter into an agreement under which they appoint a suitably qualified person (an arbitrator) to adjudicate a dispute concerning finances and/or children. They agree in advance to be bound by the reasoned written decision of the arbitrator. The arbitrator's decision is called an Award (finances). The courts recognise the binding nature of arbitration. If desired, the decision can easily be reduced to a court order which is then formally made by a court on the parties' joint application. An arbitration can take place at any time or place convenient to the parties, their lawyers and the arbitrator. As such, arbitration is ideally suited to being held 'virtually', meaning that none of the participants need be physically present in the same location. [36 Family](#) has state of the art video-conferencing facilities to enable this.

Advantages of Family Arbitration:

Speed: If urgent, arbitrations can be arranged at a couple of days' notice or even within hours in a case of urgency or if a court hearing has been cancelled at the last moment by the Court Service.

Confidentiality: The entire process is protected by strict confidentiality.

Costs: The ability to focus the scope of the dispute and to have the arbitration heard at very short notice will in many cases lead to a cost saving, more than outweighing the arbitrator's fee.

Flexibility: The parties and the arbitrator have considerable discretion over the procedures they adopt. The use of reliable IT means that remote hearings are more efficient and reliable than the Courtservice is able to offer.

Choice of arbitrator: The parties can choose their arbitrator and be sure they have a tribunal with appropriate experience and expertise. They can also ensure continuity of arbitrator throughout the process.

Financial Arbitration

There are few limitations to family financial cases which can be arbitrated. Arbitration can be used to resolve disputes over finances arising from:

- marriage and its breakdown (including financial provision on divorce, judicial separation or nullity);
- civil partnership and its breakdown;
- co-habitation and the ending of co-habitation (i.e TOLATA claims);
- provision for children pursuant to Schedule 1 of the Children Act 1989;
- provision for dependents from the estate of the deceased (I(PFD)A 1975).

Cases which involve the joinder of third parties or interveners can be arbitrated only if the third party is also willing to sign the arbitration agreement.

It is also possible to arbitrate discrete issues arising in any case, such as the valuation of a specific asset like a business.

Arbitrators may also deal with disputes over disclosure and make interim orders in relation to maintenance pending suit or legal costs orders.

36 Family Finance Arbitrators

Andrzej Bojarski KC

Paul Infield

Stuart Nichols

Niki Langridge

Nicola Shaw (formerly DJ)

Rhys Taylor

Marisa Allman

Zoe Saunders

Emily Ward





36 FAMILY

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'A great set with fabulous advocates ranging from junior right up to KC'
Legal 500