


# What is the FM5 Form?

 [mediation@talklistenchange.org.uk](mailto:mediation@talklistenchange.org.uk)

 [talklistenchange.org.uk](http://talklistenchange.org.uk)

 0161 872 1100



The FM5 form titled “Statement of Position on Non-Court Dispute Resolution (NCDR)” is a document used in the family courts following an application for an order regarding children or finances.

It must be completed separately by both people attending court before a first hearing, then sent to the court and passed to the other party.

### Important things to note

1. ‘NCDR’ means non-court dispute resolution i.e. ways of resolving your disputes outside of court. Examples of NCDR are Family Mediation, collaborative law and arbitration (see the document on our website titled ‘types of non-court dispute resolution’ for more information).
2. On this form NCDR means joint sessions of Mediation between you and your former partner, it does not mean attending just a Mediation Information and Assessment Meeting (MIAM) on your own with a Mediator. If you have only attended a MIAM and not joint sessions, you will have to tick ‘no’ to say you have not attended NCDR.
3. ‘The applicant’ is the person who has made the application. ‘The respondent’ is the other person who is also attending court.

### Purpose of the FM5 Form

The aim of the FM5 form is for the court to understand your position on (and view of) amicable solutions to resolving family disputes. This form requires you to provide detailed reasons why you believe NCDR either will not be successful or has not been successful.

By implementing this form, the court aims to ensure that all potential avenues for resolution have been considered before proceeding to court.

### Help completing the form

You can either complete the FM5 form yourself, instruct a solicitor to complete it with you or reach out to a free service such as ‘Support Through Court’ to help guide you. At TLC we regret that we are unable to complete the FM5 form with you or on your behalf, but it can be discussed with your Mediator during either your MIAM or joint sessions of Mediation.

### The FM5 form can be found here:

<https://www.gov.uk/government/publications/statement-of-position-on-non-court-dispute-resolution-form-fm5>