



Legislation on mediation in Slovenia

The mediation is currently not regulated in the way that it would be performed directly based on law, with the exception of Decree on mediation in disputes relating to copyright or related rights.

In the 2001, the mediation was introduced into every district Court of justice as a way of peaceful solving problems.

There is a new proposal of **Marriage and Family Relations Act** to regulate the field family mediation.

According to Act proposal the family mediation will be defined in five articles.

1 - One of the articles will be a definition of what family mediation is: a procedure where one or more impartial persons/mediators help persons or families in trouble to find a peaceful solution to conflict situation. The mediation can be performed before and after the legal procedure has started and must settle personal as well as financial matters.

2 - The mediator must be professionally qualified to settle the relations in conflict. The family mediation can be performed by “Centres for social work” and the Court of justice. The Council for family mediation can issue a licence to practice mediation also to natural and legal persons. For treating and solving the problems relating the mediation, the Act foresees establishment of Council for family mediation (within the Ministry of Labour, Family and Social affairs). The proposal of the Act as well defines that the State must assure also a free mediation.

3 – The Act proposal emphasizes that the agreements decided during the mediation procedure are used as judicial decision, if possible.

4 – The mediation is a procedure of limited period of time (up to 12 weeks) and excludes the participation of a child, only if he/she specially requests to be present in the mediation procedure. The mediation must follow the principle of the child's best interest.