

在家事法庭中采用替代争议解决模式 — 共享璀璨成果

The Splendor of Alternative Dispute Resolution (ADR) in Family Court

2024年调解周
Mediation Week 2024

调解为先：
筑融和之桥
创美好未来

MEDIATE FIRST :
BRIDGE CULTURES
BUILD FUTURES

日期：2024年5月9日（星期四） | Date: 9 May 2024 (Thursday)

时间：上午 10:00 - 中午 12:15 | Time: 10:00 am – 12:15 pm

语言：研讨会将以粤语进行，并提供普通话及英语即时传译
Language: The Seminar will be conducted in Cantonese, with simultaneous interpretation in Putonghua and English

地点：香港中环下亚厘毕道18号律政中心中座1楼多功能活动厅
Venue: Function Hall, 1/F, Main Wing, Justice Place, 18 Lower Albert Road, Central, Hong Kong



立即扫描二维码登记
Scan to register now

活动内容 Event Contents:

司法机构于2023年10月起实施「家事法庭聆案官制度」。在此之前，司法机构亦一直致力探讨，如何以替代争议解决模式处理家事法庭的案件，当中不乏植入调解的元素。

在2003年及2012年，司法机构分别引入「排解财务纠纷(FDR)」和「排解子女纠纷(CDR)」计划。纵然上述计划及调解两者均有其独特之处，但法庭留意到调解员的参与，确实能为排解该些纠纷带来协同效应。有鉴于此，司法机构于2019年起在家事法庭设立「调解员辅助的排解财务纠纷(MFDR)」及「调解员辅助的排解子女纠纷(MCDR)」计划。那奠定了替代争议解决模式与诉讼双轨并行的基础，且成效是有目共睹的。

另一方面，司法机构自2024年3月推行「家事法庭转介调解计划(FCAMS)」，为期两年。当值的家事调解员将以服务提供者的身份，在有需要时被委任并替经济资源较少的离异双方提供调解服务。该计划旨在通过家事法庭法官及聆案官(主审司法官员)、综合调解办事处及家事调解员之间采取协作方式，协助离异双方即日在法院大楼内解决彼此的争议。

The Judiciary has implemented the Family Masters System since October 2023. Prior to this, the Judiciary has explored various ADR mechanisms for handling family court cases. Some of them were incorporated with elements of mediation.

In family proceedings, Financial Dispute Resolution (“FDR”) and Children Dispute Resolution (“CDR”) are procedures introduced since 2003 and 2012 respectively. In spite of the uniqueness between mediation and FDR / CDR, the court saw the potential for synergy by having a mediator within the process of FDR / CDR. In this light, Mediator-assisted FDR (“M-FDR”) / Mediator-assisted CDR (“M-CDR”) has been introduced in Family Court since 2019. It is a model of a continuous alternative dispute resolution process running in parallel with litigation, which have been proven to be effective in dealing with the financial and child issues in a matrimonial case.

The Judiciary has just launched a new pilot scheme namely Family Court-annexed Mediation Scheme (“FCMAS”) for a period of two years starting from March 2024. Freelance duty mediators, being engaged as service providers, would provide mediation service for suitable court cases involving litigants-in-person on both sides with less financial resources. The new pilot scheme plans to assist the parties to settle their disputes timely and effectively by adopting a collaborative approach among the Judges/Masters in Family Court (“Presiding Judicial Officers”), the Integrated Mediation Office IMO and family mediators at the court premises.

立即登记 Register Now

如欲了解研讨会的详细内容，请浏览<https://mediationweek2024.com>
For more information about this Seminar, please visit : <https://mediationweek2024.com>

研讨会于下述机构的持续专业发展(CPD)学分现正申请中：
The Continuing Professional Development (CPD) points of the Seminar of the following organisations are being applied for:

1. 香港律师会 The Law Society of Hong Kong
2. 香港国际仲裁中心 Hong Kong International Arbitration Centre
3. 香港调解资历评审协会有限公司 Hong Kong Mediation Accreditation Association Limited
4. 香港和解中心 Hong Kong Mediation Centre
5. 内地—香港联合调解中心 Mainland - Hong Kong Joint Mediation Center
6. 金融纠纷调解中心 Financial Dispute Resolution Centre
7. 国际争议解决及风险管理协会 International Dispute Resolution & Risk Management Institute

支持机构 Supporting Organisations



有关调解资讯，请浏览For information about mediation, please visit :



Facebook



Weibo



LinkedIn