合辦機構：
Co-organisers：

律政司 香港特別行政區政府 Department of Justice The Government of the Hong Kong Special Administrative Region

司法機構 JUDICIARY

MEDIATE FIRST 調解為先

在家事法庭中採用替代爭議解決模式 — 共享璀璨成果

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

2024年調解周
Mediation Week 2024

調解為先：
築融和之橋
創美好未來

MEDIATE FIRST :
BRIDGE CULTURES
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日期 ： 2024年5月9日（星期四）｜ **Date:** 9 May 2024 (Thursday)

時間 ： 上午 10:00 - 下午 12:15 ｜ **Time:** 10:00 am – 12:15 pm

語言 ： 研討會將以粵語進行，並提供普通話及英語即時傳譯
Language: The Seminar will be conducted in Cantonese, with simultaneous interpretation in Putonghua and English

地點 ： 香港中環下亞厘畢道18號律政中心中座1樓多功能活動廳
Venue: Function Hall, 1/F, Main Wing, Justice Place, 18 Lower Albert Road, Central, Hong Kong

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活動內容 Event Contents:

司法機構於2023年10月起實施「家事法庭聆案官制度」。在此之前，司法機構亦一直致力探討，如何以替代爭議解決模式處理家事法庭的案件，當中不乏植入調解的元素。

在2003年及2012年，司法機構分別引入「排解財務糾紛(FDR)」和「排解子女糾紛(CDR)」計劃。縱然上述計劃及調解兩者均有其獨特之處，但法庭留意到調解員的參與，確實能為排解該些糾紛帶來協同效應。有鑑於此，司法機構於2019年起在家事法庭設立「調解員輔助的排解財務糾紛(MFDR)」及「調解員輔助的排解子女糾紛(MCDR)」計劃。那奠定了替代爭議解決模式與訴訟雙軌並行的基礎，且成效是有目共睹的。

另一方面，司法機構自2024年3月推行「家事法庭轉介調解計劃(FCAMS)」，為期兩年。當值的家事調解員將以服務提供者的身份，在有需要時被委任並替經濟資源較少的離異雙方提供調解服務。該計劃旨在通過家事法庭法官及聆案官(主審司法官員)、綜合調解辦事處及家事調解員之間採取協作方式，協助離異雙方即日在法院大樓內解決彼此的爭議。

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.

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如欲了解研討會的詳細內容，請瀏覽 https://mediationweek2024.com
For more information about this Seminar, please visit : https://mediationweek2024.com

研討會於下述機構的持續專業發展(CPD)學分現正申請中：
The Continuing Professional Development (CPD) points of the Seminar of the following organisations are being applied for:

1. 香港律師會 The Law Society of Hong Kong
2. 香港國際仲裁中心 Hong Kong International Arbitration Centre
3. 香港調解資歷評審協會有限公司 Hong Kong Mediation Accreditation Association Limited
4. 香港和解中心 Hong Kong Mediation Centre
5. 內地－香港聯合調解中心 Mainland - Hong Kong Joint Mediation Center
6. 金融糾紛調解中心 Financial Dispute Resolution Centre
7. 國際爭議解決及風險管理協會 International Dispute Resolution & Risk Management Institute

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