



# Conciliation Session Training

Maintenance Enforcement Division



# Overview

- What is Conciliation?
- Conciliation Session – Workflows and Processes
- Types of Maintenance Enforcement Orders
- Conciliation Session – FJC's Consent Order Form and Recording a Consent Order
- Conciliation Session – Drafting a Variation Draft Consent Order and filing in e-Litigation
- End of first conciliation
- Conciliation Notes
- Potential Scenarios
- Practical assignment – Taking Conciliation Notes and Preparing a draft consent order



# What is Conciliation?



# What is Conciliation?

- After a maintenance enforcement application is made, the court may direct refer the application to an MEO to conduct conciliation between the parties
- The court may direct the Applicant and Respondent to attend before an MEO for a conciliation session
- Conciliation is a way to resolve a legal dispute without going to trial
- The MEO acts as a neutral party and recommend solutions and facilitate settlement



# Purpose and Scope of Conciliation Session

- Facilitate an agreement between the parties on any issue concerning a maintenance enforcement application

- MEO makes recommendations to the parties as to how to resolve any dispute between them on any issue concerning the application

- If the respondent is absent from a conciliation, the court may direct the respondent to attend the conciliation session on a later date

Promote sustainable maintenance outcomes to reduce repeat enforcement applications



- Respondents who ***cannot pay*** will be channeled to appropriate financial assistance



- Respondents who ***refuse to pay*** will be dealt with more decisively by the Court



# Differences between conciliation, mediation and trial

	Conciliation	Mediation	Trial
Who drives the session?	The MEO can play an active role and may share advice and possible solutions about the dispute.	The parties will lead the discussion.	The judge will hear each party's evidence and submissions before making a decision on the case.
Control over the session	The parties may accept or reject suggestions or proposals by the MEO.	Parties find solutions to the dispute and determine the terms of the settlement.	Parties must follow the judge's decision, subject to any appeal.



# Conciliation Session – Workflow and Processes



# MEO as a neutral party

Neutrality ensures a fair and impartial process.



- Treat parties equally
- Providing opportunity to present their perspective without favouritism



- Remain calm and composed
- Avoid making judgments or assumptions about the parties or the situation



- Listen to parties without showing signs of agreement or disagreement



- If a party shares anything in confidence, obtain permission to share with the other party before doing so and inform party that the information may be recorded in the MEO Report for FJC





# Aspects of conciliation sessions (1)

## 1. Administrative



- Set up and preparation. Verify parties' identities by asking them to produce their identity cards
- Remind parties that they should be alone in a quiet room and shoulder surfing and recordings by parties are not allowed. Parties should also not be driving if conciliation is conducted via Zoom.
- Inform parties that the session is being recorded for fairness and transparency, and a summary of the points discussed at the conciliation session would be included in the MEO report and submitted to FJC.

## 2. Conciliation Process



- Opening Statement
- Joint sessions or private sessions
  - Level of animosity between parties
  - Complex issues
  - Reality test
  - If one party raises confidential / sensitive information, obtain permission to share and inform party that it may be recorded in the MEO report.



# Aspects of conciliation sessions (2)

## 3. Outcomes



- Draft and record a consent order before **Duty Judicial Official (“DJO”)/MEC Judge (TBC)**, if there is a partial or full settlement
- Refer suitable parties to Comcare Financial Assistance via CaseConnect
- Fix a second conciliation session, if required

## 4. Conciliation Notes



- Case MEO must record parties’ discussion and any terms of agreement in the conciliation notes
- If there is a consent order recorded, Case MEO to take court attendance notes and FJC’s court directions (if any)
- The above will form the basis for the MEO report



# Set-up and Preparation (1)

Mode of conciliation	Physical	Virtual
Venue	<ul style="list-style-type: none"> <li>• MSC Rooms R1, R8 to R11 and L8M3 (backup)</li> <li>• For private sessions, have the other party step out and wait at the waiting area.</li> </ul>	<ul style="list-style-type: none"> <li>• Zoom</li> <li>• Use breakout rooms for private sessions</li> </ul>
Set-up	<ul style="list-style-type: none"> <li>• MEO will be notified via QAS when parties are at MSC, to log in to QMS to call parties in via their Q number</li> </ul>	<ul style="list-style-type: none"> <li>• Use the MinLaw Corporate Virtual Background</li> <li>• MEO should conduct the conciliation in a private room (i.e. not open office setting or public area)</li> <li>• If a party attends in person at MSC, MEO to only assist to set up the videoconference, but not conduct conciliation from the same room</li> </ul>

# Set-up and Preparation (2)

Mode of conciliation	Physical	Virtual
Dresscode	<ul style="list-style-type: none"><li>• Business or Smart Casual (as if attending court)</li><li>• Proper footwear (i.e. no slippers)</li></ul>	<ul style="list-style-type: none"><li>• Business or Smart Casual (as if attending court)</li></ul>
Safety Protocol	<ul style="list-style-type: none"><li>• MEO should sit opposite both parties, at the side nearer to the door</li><li>• Ensure easy access to the panic button</li><li>• Terminate session, if necessary (e.g. if parties turn aggressive physically or verbally)</li></ul>	<ul style="list-style-type: none"><li>• Terminate session, if necessary (e.g. if parties turn aggressive verbally and MEO is unable to continue the conciliation session)</li></ul>



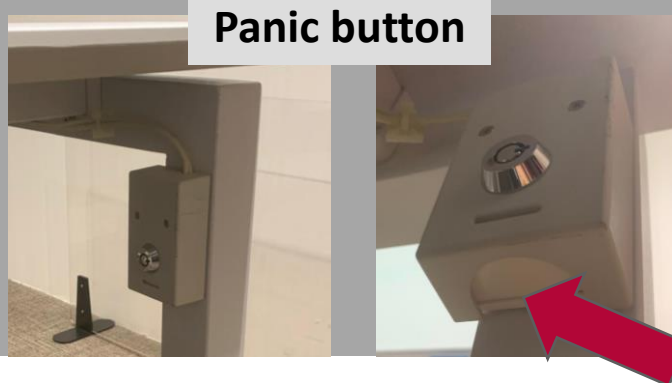
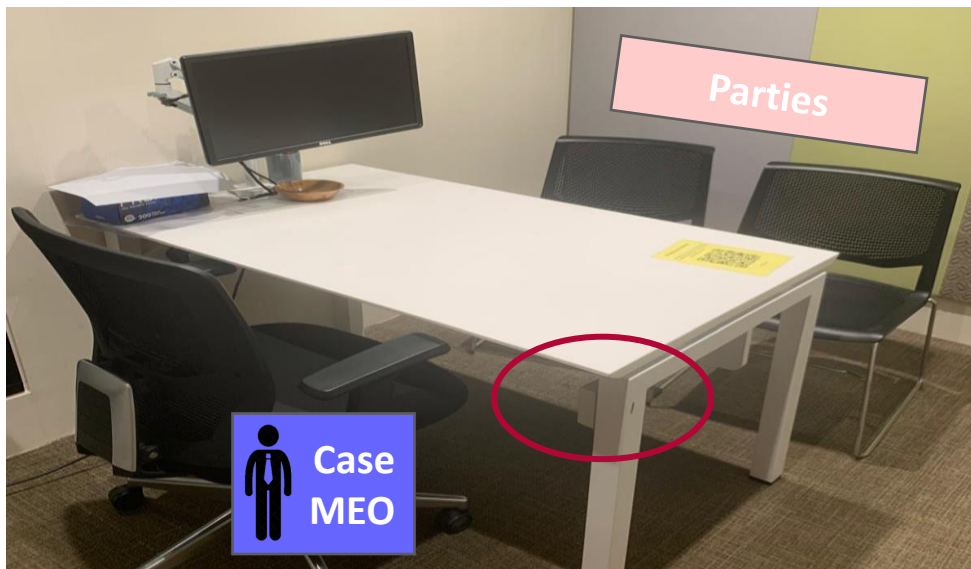
# Set-up and Preparation (3)

Mode of  
conciliation

Physical

Virtual

Layout



Panic button

- Terminate session, if necessary (e.g. if parties turn aggressive verbally and MEO is unable to continue the conciliation session)



# Time slots and duration of conciliation sessions



- Mondays to Fridays



- Default first conciliation session:

[AM slot] 9.00 am to 10.30am  
[PM slot] 2.00pm to 3.30pm

- Rescheduled/second conciliation session:

[AM slot] 11.00am to 12.30pm\*  
[PM slot] 4.00pm to 5.30pm

\*If R is an inmate, to reschedule conciliation to this timeslot only.



- If parties have come to a settlement, Case MEO may extend time and complete the recording of consent order within 30 minutes
- If parties are close to a settlement, Case MEO may extend time for up to an hour to facilitate the agreement and recording of consent order
- Case MEO may seek Duty MEO's assistance for recording of the consent order if s/he is unavailable beyond the time extension



# Pointers for a constructive conciliation session

## Opening Statement

- Clarify the role of the conciliator
- Outline the process flow
- Check in on procedural rules
- Reiterate expectations of party conduct

**Tip: Opening statements should be kept within 5 to 10 minutes.**

## Parties' Opening Statements

Allow parties to speak directly and openly.

Take note of the following points:

- Why was this application made?
- Any changes to the parties' circumstances?
- What is an ideal settlement?

**Tip: Listen actively to what is being said or not said to be able to spot the underlying issues or parties' interests.**

## Creation of Agenda

- Establish agreement on points of contention
- Outline the issues to be discussed in a constructive and neutral frame
- Check that the list is exhaustive for all parties

**Tip: Keep your agenda short and straight to the point.**

## Review Parties' Proposals

- Encourage parties to link proposals to parties' interests
- Encourage brain-storming for all issues identified
- Refrain from critically assessing options identified

**Tip: Propose feasible solutions based on information gathered from parties.**

## Private sessions (if required)

- Obtain sensitive information
- Reality-test with proposals surfaced
  - Is the proposal realistic and sustainable?
- Confirm consent for disclosure
- Let party know that the information could be included in the MEO report

**Tip: Create doubt in unrealistic proposals and allow party time to think through.**



# Suggested structure of a conciliation session (1/4)

## Pre-conciliation session

MEOs should go through the Interim Report in detail to refresh their understanding of the parties' financial means, get a broad sense of whether the Respondent is a "can pay" or "refuse to pay" case and think about what a fair and reasonable settlement may look like for the parties.

**Familiarity with the Interim Report and parties' means**

## Start with MEO opening statement

To convey to parties the purposes of conciliation session and ground rules

**MEO's opening statement**

## Check with parties verbally on the outstanding financial information required for conciliation

Where the parties are able to access or share details about the outstanding information during the session, the MEO should record the information, which will provide the MEO with a more complete picture of the parties' financial circumstances.





# Suggested structure of a conciliation session (2/4)

## **Get each party to state their respective positions**

How much arrears is A claiming and for which period of time? ? How much arrears does R admit is outstanding, and how much is R prepared to, or able to repay?

**Parties' opening statement**

## **Ask each party questions to ascertain the reasons and interests underpinning that party's positions and reasons for defaulting maintenance.**

If any information shared by the parties is not consistent with the documents that they had submitted, the MEO should seek clarification with the party/parties at an appropriate time.

## **Ask each party for their proposals on how the matter should be resolved.**

Seek necessary clarifications if proposals are inconsistent with their financial circumstances, or if certain proposals, allegations, expenses raised by parties are unreasonable.

**Exploration, review of parties' proposals**



# Suggested structure of a conciliation session (3/4)

## **Reality test**

Ask each party questions to test the feasibility and sustainability of his or her proposals, based on the MEO's understanding of the parties' financial circumstances, to ensure any settlement is sustainable.

## **Review proposals**

Ask parties how far he or she is willing to adjust his position in order to guide parties towards settlement, get parties to explain why the other party's proposal is not feasible, to see if parties can make further compromises

## **Suggest settlement proposals**

Suggest proposals to parties based on adjusting parties' own proposals or of the MEO's own accord where appropriate, based on the information known to the MEO

**Appropriate use of  
private sessions  
depending on situation  
and parties' dynamics**



# Suggested structure of a conciliation session (4/4)

## Settlement

Check in with parties on Show Payment Order  
prepare consent order form and/or DCO, get DCO  
affirmed,  
Dial in to FJC to record consent order

## Non-settlement

Provide directions for submission of outstanding  
documents (for second conciliation session)

## ComCare referral

Inform parties of **referral** for needy parties

**Closure and  
administrative matters**



# Sample Opening Statement (1)

Self-  
introduction  
/ Verify  
parties'  
identity

1. My name is XXX, your case MEO, and I will be facilitating your conciliation session today. Thank you for taking time to be here today.
2. Before we begin, I would need to verify your identities. [*Please show me your identification card. / Please read out your full name and NRIC number.*] I would also like to remind you that you should be alone in a quiet room and recordings are not allowed.

Clarify Case  
MEO's role

3. My role today is to facilitate a mutually acceptable and sustainable resolution of your maintenance dispute. I will act as a neutral facilitator guiding the conversations, allowing both of you to have the opportunity to express your views. I will also make proposals, where relevant, for your consideration.

Outline the  
process flow

4. After I wrap up my opening statement, I will first go through the Interim Report you have on hand and gather any outstanding information from both of you to facilitate our discussion today. While doing so, both of you will have the chance to share how you wish to resolve the maintenance issue and your concerns. Thereafter, we will explore your proposals through joint discussions. If necessary, we may break into private sessions to review the proposals.
5. You have the autonomy to decide whether to accept the proposals. The proposals are non-binding until a consent order is recorded by FJC. But since you are here, let's make this session productive and try to settle this issue. If both parties manage to reach an agreement, I will assist with finalising the details of settlement. Thereafter, I will follow up with the necessary steps which may include recording a consent order with FJC. I will advise further when we get to that stage.

# Sample Opening Statement (2)

Check in on  
procedural  
rules

6. A summary of our discussions would be recorded in the MEO Report and shared with the court. This can include information that is shared with me in the private session. Furthermore, this session will also be recorded via Zoom [or video-camera if it is a physical session].

7. In the event both of you did not manage to reach an agreement, I may direct any of you to submit further documents and conduct further fact-finding before we come back for a second conciliation session. If both of you still cannot reach an agreement after the second conciliation session, I will submit the MEO report to the court and the court will make the necessary orders.

8. Lastly, I would like both of you to bear in mind some ground rules for this conciliation session:

Reiterate  
expectations  
of party  
conduct

- a. **Treat each party with respect.** This means taking turns to speak without interrupting each other, avoid the use of derogatory remarks and raising your voices.
- b. **Focus on the issues that need resolution.** Personal attacks or going off-topic can hinder our progress so let's stay focused on finding constructive solutions.
- c. **Honest and forthcoming communication.** For a more productive session, please express your views clearly and listen to the perspective of the other party. Do refrain from withholding relevant details and share your reservations on the proposals, if any.
- d. **Approach with an open mind.** I understand that each of you may have your personal positions in mind, but let's aim to understand the other party's needs and interests and explore solutions that address the interests of both parties.



# Opening Statement Checklist

- ☐ Introduce yourself and verify parties' identity
- ☐ Explain MEO's neutrality and role in a conciliation session
- ☐ Outline the conciliation process and duration
- ☐ Stress that discussions and proposals during the conciliation will be recorded in the MEO Report which will be submitted to the Court and will be visible to the parties
- ☐ Stress that proposals, agreement are non-binding until it is recorded before the Court
- ☐ Reiterate expectations of parties' and conduct








# Types of Maintenance Enforcement Orders



# Show Payment Order (“SPO”)

Case MEO must inform parties that FJC can impose a SPO, which carries a default imprisonment term, after the consent order is entered into.

<div>What is a SPO?</div>	<div><ul style="list-style-type: none"><li>Respondent is required to attend court to show proof of payment of the arrears or payable maintenance personally</li></ul></div> <div>See section 81(4) of the FJRA</div>	<div>Consequence</div>	<div><ul style="list-style-type: none"><li>A breach of the SPO could lead to an imprisonment term:<ul style="list-style-type: none"><li>For each failure to prove payment of any maintenance arrears – must not exceed 6 months</li><li>For each failure to prove payment of any payable maintenance — must not exceed one month for each month’s worth of payable maintenance (or any part thereof)</li></ul></li></ul></div> <div>See section 81(4) and 81(5) of the FJRA</div>
<div>What is the SPO for?</div>	<div><ul style="list-style-type: none"><li>Avoid the Applicant from having to apply for enforcement again</li></ul></div>	<div>Court’s consideration</div>	<div><ul style="list-style-type: none"><li>Number of times the Respondent breached the maintenance order</li><li>How long ago the last enforcement application was</li></ul><p><i>For internal reference only.</i></p></div>



# Scenarios on agreement to SPO

	Scenario	Case MEO's role during conciliation session	FJC's role
1	Parties agreed to have a SPO and will leave to the judge to decide on the default imprisonment term	<ul style="list-style-type: none"> <li>Case MEO to get parties to agree on the following: <ul style="list-style-type: none"> <li>Starting date of the first show payment</li> <li>Whether the Respondent is allowed to show payment online</li> </ul> </li> <li>Case MEO to indicate if parties' respective positions on length of the default imprisonment term (if raised by parties).</li> <li>Case MEO to indicate the above in the consent order template form and communicate this to the Registry who will inform the DJO recording the consent order.</li> </ul>	<ul style="list-style-type: none"> <li>DJO will record the SPO and decide on the default imprisonment term as part of the Consent Order</li> </ul>
2	Parties agreed that a SPO is not necessary	<ul style="list-style-type: none"> <li>Case MEO to indicate in the consent order template form.</li> <li>Case MEO to record that parties agree not to include a SPO and their reasons (if any) in the conciliation notes and MEO report</li> <li>Case MEO reiterate to parties that FJC can still impose a</li> </ul>	<ul style="list-style-type: none"> <li>Parties' agreement not to have a SPO will not bind FJC</li> <li>DJO will consider whether to impose the SPO after considering the MEO's report</li> </ul>

# Scenarios on agreement to SPO

	Scenario	Case MEO's role during conciliation session	FJC's role
3	<p>Parties disagreed on whether to impose a SPO</p> <p>(e.g. the Applicant wants a SPO, but the Respondent does not)</p>	<ul style="list-style-type: none"><li>Case MEO to indicate in the consent order template form that parties disagree and record their reasons (if any) in the conciliation notes and MEO report</li></ul>	<ul style="list-style-type: none"><li>DJO will consider whether to impose the SPO after considering the MEO's report. (TBC)</li></ul>



# Other types of Maintenance Enforcement Orders

- Attachment of Earnings Order – where the order allows the Applicant to take funds directly from the Respondent's wages to pay for the arrears, usually in monthly instalments.
- An order requiring the Respondent to furnish security against any future default in maintenance payments by means of a banker's guarantee
  - A banker's guarantee is essentially a guarantee from a bank, on behalf of the Respondent, to fulfill payment obligations to the Applicant.
  - In the event the Respondent fails to meet the terms of the contract, the bank will pay the Applicant on his behalf.
- Case MEOs are not expected to go through these options, unless raised by parties.









# Variation or Suspension of Maintenance Order (1)

- **Variation** means to change some parts of the court order. For instance, to increase or reduce the monthly maintenance. See Family Law training slides for details.
- **Suspension** means to postpone the payment of some maintenance as required in the court order to a later date. However, the amounts not paid will be accumulated and payable.
- The overarching policy objective is to achieve sustainable maintenance outcomes.

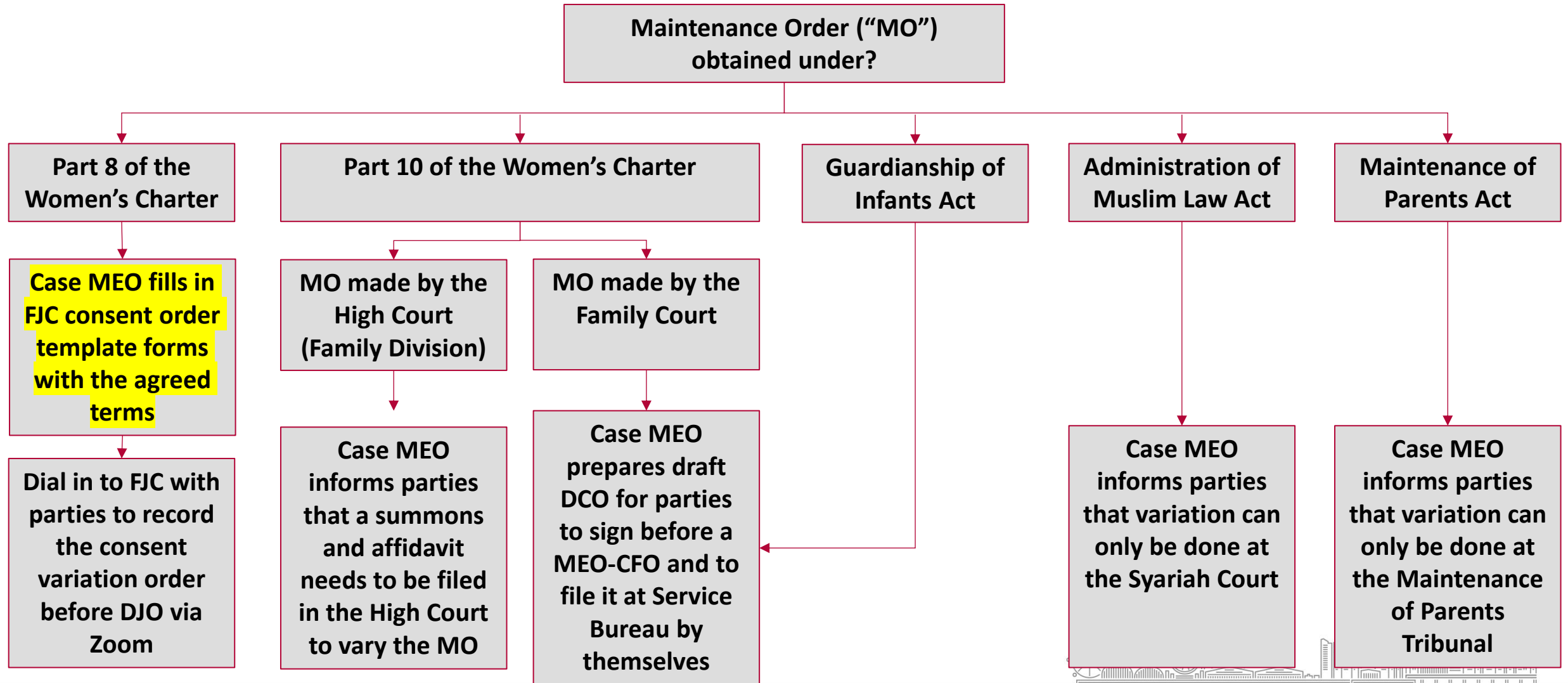


# Variation or Suspension of Maintenance Order (2)

When do MEOs record <u>intent</u> to vary or suspend the maintenance order in the MEO report?	Relevant factors for the need for variation or suspension	
 <ul style="list-style-type: none"><li>Requested by the Respondent</li></ul>	 <ul style="list-style-type: none"><li>Financial</li><li>Change in living circumstances (e.g. caring for elderly parents)</li></ul>	 <ul style="list-style-type: none"><li>Health issues</li></ul>
 <ul style="list-style-type: none"><li>The Respondent communicated a change in financial situation and variation or suspension was discussed</li></ul>	 <ul style="list-style-type: none"><li>Change in employment status or job</li></ul>	 <ul style="list-style-type: none"><li>Change in child's or wife's needs</li></ul>



# What happens if parties consent to vary the Maintenance Order?



# Refer suitable parties to ComCare Financial Assistance via CaseConnect

## When can MEO refer a party to ComCare Financial Assistance?



- Case MEO is of the view that the party is facing financial difficulties
- Upon party's request



- Parties are presently not receiving any ComCare financial assistance\*

\*Case MEO may check if parties are receiving any financial assistance from ComCare via OneCV



- Party has to be informed that Case MEO will be referring him/her for Financial Assistance
- Case MEO can only proceed with referral if the party does not object

- Case MEO to submit referral to ComCare Financial Assistance via CaseConnect

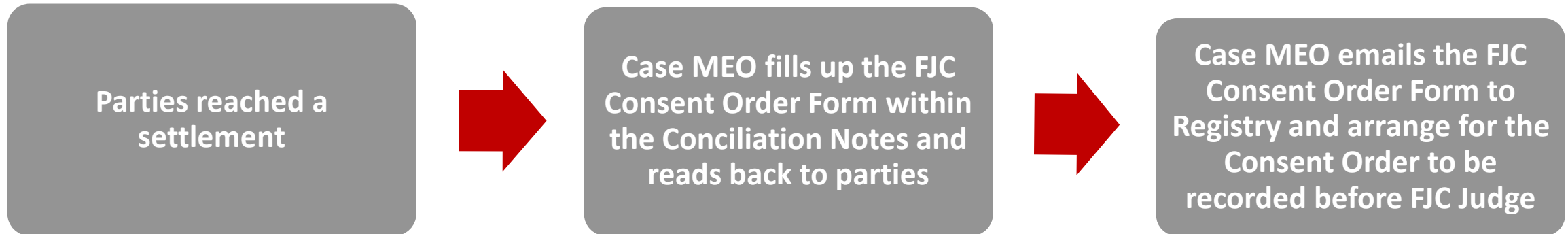


# Conciliation Session – FJC’s Consent Order Form and Recording a Consent Order





# FJC's Form for Recording of Consent Orders (1)



- Case MEO must also record in the conciliation note whether parties agreed to any Show Payment Order, Attachment of Earnings Order, Banker's Guarantee.
- If parties agreed on a Show Payment Order, Case MEO is required to inform FJC Judge on the following:
  - Starting date of the first show payment
  - Whether the Respondent is allowed to show payment online
- If parties agree on an Attachment of Earnings Order, Banker's Guarantee, Case MEO to inform the FJC judge.
- Case MEO must remind R that the current maintenance remains payable.



# Variation of maintenance orders under Part 8 of the Women's Charter 1961 (TBC)

- Following parties' settlement, Case MEO would fill up the FJC consent order template with the following components:
  - Existing Maintenance Order Number/ Case Number
  - Existing Variation Application Number (if any)
  - Agreed revised monthly maintenance payable.
  - Agreed payment mode and date
  - Commencement date
- After parties' confirmation, Case MEO shall inform the Registry of parties' agreement and email the consent order form setting out parties' agreement to arrange for recording before a FJC Judge, similar to the recording of consent order for the enforcement of arrears.



# Recording of Consent Order before the DJO (TBC SOP 5.4.2)

After parties confirm the terms of agreement for the enforcement of maintenance arrears



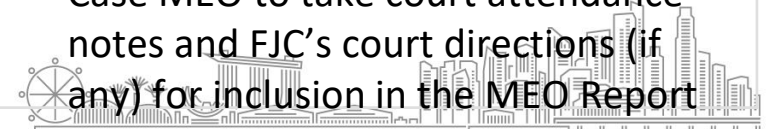
- Case MEO to message in the Teams group chat with FJC Registry officers to inform of:
  - Case reference number
  - Completed template form
  - Agreed start date of SPO and whether R is allowed to show payment online (if applicable)
  - Zoom ID and password



- If there is no acknowledgement in 5 minutes, Case MEO will text in the Whatsapp group chat with FJC Registry officers
- Registry officer is to acknowledge the Case MEO's message in Teams/Whatsapp group and communicate the information to the DJO



- Case MEO logs into Zoom (for physical conciliation sessions)
- After DJO joins the Zoom conference, Case MEO states the case reference number and introduces parties
- DJO goes through the DCO verbally and confirm the DCO between parties
- Case MEO to take court attendance notes and FJC's court directions (if any) for inclusion in the MEO Report



# Conciliation Session – Drafting a Variation Draft Consent Order (“DCO”) and filing in e-Litigation



# Drafting a variation DCO under Part 10 of the Women's Charter 1961 and the GIA 1934

- Case MEO may draft the DCO if parties agree to vary the maintenance order\* by using the DCO templates and list of sample clauses.
- Case MEO to draft the DCO in accordance with parties' agreement and request for vetting by clearing officer, before getting parties to sign the vetted DCO.
- The DCO needs to be read/interpreted by a Commissioner for Oaths to the parties and signed by the parties in accordance to their language.

\*Excludes MO made by the High Court (Family Division)

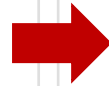


# Draft Consent Orders for variation under Part 10 of the WC 1961 or GIA 1934 (2)

Consent orders for such variation have to be signed before a Commissioner for Oaths, and filed in eLitigation by parties.



- Case MEO to inform team lead via MED whatsapp group that the DCO requires immediate vetting. Other clearing officers will assist if the team lead is not available.
- After the DCO is vetted and returned to the Case MEO via email, Case MEO is to save the vetted DCO in PDF format for parties to sign.



- Case MEO sends the DCO via Signify to the A, R and a MEO-CFO for signing. If the Case MEO is a CFO, he can witness parties' attestation.
- CFO uploads the CFO stamp in the signed DCO using Adobe Acrobat Reader. Case MEO to save and upload the signed DCO in PDF to the case folder.
- Ensure that parties receives the signed DCO via email on the spot. For in-person conciliation sessions, parties should be given both hard and soft copies of the signed DCO.



- As a rule of thumb, Case MEO may suggest that the benefitting party file the **signed** DCO at the CrimsonLogic Service Bureau (1 Havelock Square, State Courts, Singapore 059724)
- The varied maintenance amount will only take effect after FJC records the consent order.

See section 653A of the FJR 2014 and section 111A of the FJC Practice Directions



# End of first conciliation



# Applicant is required to submit documents

No settlement at the first  
conciliation session



Respondent raises the issue of variation and alleged  
that the Applicant has increased financial means

- See “Case-Archetypes – A’s submission of documents.”
- The Respondent must be able to provide cogent evidence to support his allegations of Applicant’s increased financial means and why the additional documents are required. A bare allegation is insufficient.
- See Table 6 in the SOP for the list of documents that MEO can direct Applicant to submit.



Adobe Acrobat  
Document





# Respondent is required to submit documents

No settlement at the first  
conciliation session



Case MEO directs Respondent to submit documents.  
Otherwise, Case MEO to conduct fact-finding

- See Fact finding for MEOs training slides
- See “Case Archetypes – R’s submission of documents”



# Conciliation Notes



# What to include in the Conciliation Notes?

Conciliation notes form the basis for the MEO report.

## General information

- Location
- Date/Time
- Parties' and their solicitor's attendance

## Session notes

- What was discussed
- Parties' proposals and counter proposals
- MEO's proposals
- Any other remarks from parties or observations

## If no / partial settlement is reached and a second conciliation is required

- Outstanding issues and directions for next conciliation session
- Details of next conciliation session scheduled

## If a settlement is reached

- Terms of agreement and recording of consent order (if applicable)
- Agreement on Show Payment Order
- Court attendance notes/directions



# Potential Scenarios



# Show Payment Order

## Respondent refuses to include SP Order in the DCO

Respondent



**What? I already agreed to pay but the court may still impose a SP Order?**

**In that case, I refuse to record the DCO.**

**If you are sincere about the settlement and will be paying the maintenance, the SP should not be a major concern.**

**If a DCO is not recorded today and the matter is contested, you would be spending more time and costs to fight a contested application, and a SP Order then becomes mandatory.**

**It will be more beneficial to enter into a Consent Order to save you time and effort.**



Case MEO



# Time Bar

**Applicant is adamant that she is entitled to maintenance arrears accrued beyond the 3 years time bar**

Applicant



**The Respondent has not paid child maintenance for 15 years. I want him to pay me the full sum. I am not accepting a cent less!**

**I will try to talk to the Respondent about settling the full maintenance arrears, but if he is unable to accede to it, you may want to consider his proposal of a reduced amount.**

**Your only maintenance order was dated XX. Typically, maintenance arrears can only be backdated up to the past 3 years preceding the date of enforcement. Of course, in very rare cases, the court may under special circumstances allow otherwise.**

**You can consider if it will more beneficial to enter into a Consent Order or have the matter heard by the court.**



Case MEO

See section 91R(4) of the new Women's Charter



# Respondent is a bankrupt

**Applicant does not have a High Court Order (to enforce pre-bankruptcy arrears) and confirmed during phone interview that she will only enforce post-bankruptcy arrears**

Applicant



**Yes, I did mention that I will only be enforcing post-bankruptcy arrears.**

**But I have now changed my mind. I insist to enforce the pre-bankruptcy arrears too.**

**Why can't you get it done together?**

**I apologize that I am not able to deal the pre-bankruptcy arrears today. I would advise you to file a Proof of Debt [here](#). I will also indicate in my MEO report that you intend to enforce the pre-bankruptcy arrears and FJC will give directions on that.**

**Let me assist you with the post-bankruptcy arrears first. If we manage to reach a settlement, I will inform the judge recording the consent order of your position on the pre-bankruptcy arrears\* and seek his/her directions.**

\*Case MEO must not record a consent order that relates to the pre-bankruptcy maintenance arrears.



Case MEO



# Legal Advice

Applicant/Respondent seeks MEO's advice

Respondent



Case MEO, can you advise me on my legal rights?

Case MEO, is what the Respondent mentioned true?

Should I accept his proposal then? I am worried I can't get any money if I don't consent to his terms!

Applicant



My role today is to facilitate and discuss solutions to your matter. I am not authorized to give you legal advice. You may wish to seek legal advice separately.

If you are not comfortable with the terms of settlement, we can end the session for you to obtain legal advice first.



Case MEO





# Role Play – Taking Conciliation Notes and Preparing a draft consent order



# Practical assignment

- Form groups of 3. Each MEO will take turns to play the role of Case MEO, Applicant and Respondent.
- Each role play will last for 20 minutes, and parties are to reach an agreement based on the given instructions so that the Case MEO can prepare the draft consent order.
- During the role play, Case MEO is to complete the following:
  - **Recording the conciliation notes; and**
  - **Preparing the draft consent order**
- Groups to share the challenges in recording the conciliation notes and preparing the draft consent order.



# Thank you!

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