Family mediation

Igaunija

The family mediation service is intended for parents who have separated or are in the process of separating, who have at least one minor child together and who have failed to reach an agreement on matters relating to the child's living arrangements (such as contact arrangements and maintenance). The family mediator, as a neutral party, helps the parents to exchange ideas and to reach a mutually satisfactory agreement. The aim of mediation proceedings is not so much to achieve reconciliation as to reach a workable settlement.

Family mediation is quicker, more favourable and better for the mental health of the parents and is more considerate of the child's well-being; agreements made between parents through this method are more effective than in court proceedings. Since 1 September 2022, family mediation services have also been available free of charge as a state-run service. The service is accessed by contacting the Social Insurance Board. A judge may also order a family mediation process in judicial proceedings.

According to the State-Funded Family Mediation Services Act (*riikliku perelepitusteenuse seadus*), a family mediator is:

A person directly conducting a conciliation procedure in a contractual relationship with the Social Insurance Board and who assists the parents (hereinafter 'the mediation parties') in finding a solution to a dispute concerning the living arrangements of their minor child, taking into account the best interests of the child.

Within the meaning of the Conciliation Act (*lepitusseadus*), a mediator must be one of the following:

1) a natural person who has been instructed by the parties to mediate in a dispute between them (such as an expert in psychology or social issues (including child protection and social work) or a legal specialist). The mediator may act through a legal person with whom they are in an employment or other contractual relationship;

2) a barrister who has made a declaration to that effect to the board of the Estonian Bar Association;

3) a notary who has made a declaration to that effect to the Chamber of Notaries;

4) in the cases laid down in the Act, a State or local government mediation body.

In the Republic of Estonia, the organisation of family mediation services is governed by the following legislation:

the State-Funded Family Mediation Services Act.

the Conciliation Act

the Social Welfare Act

the Family Law Act and

the Code of Civil Procedure.

In Estonia, family mediators are currently represented by the Estonian Association of Mediators (*Eesti Lepitajate Ühing*) and the Mediation Institute (*Lepituse Instituut*). The work of mediators in the state-funded family mediation service is coordinated by the Social Insurance Board.

Last update: 22/02/2024

The national language version of this page is maintained by the respective EJN contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJN nor the European Commission accept responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.