

Family and Matrimonial Team

As members of Resolution, we at Warners offer sympathetic yet realistic advice to help with your situation. Our lawyers endeavour to adopt a sensitive and conciliatory approach whilst still obtaining the best possible outcome for you. We encourage solutions that consider the needs of the whole family.

We offer advice not just to married couples, but also to the increasing number of people who choose to live together. We can help with pre-nuptial agreements, disputes and about property, money or children.

Pre-Nuptial Agreements

It is unfortunate that a significant percentage of marriages now end in divorce and consequently, it is understandable that people, particularly those who have been married before, will want to agree what should happen in the event of a divorce. Historically Pre-Nuptial Agreements have been unenforceable in this country. However, the Courts are becoming more flexible in their approach towards them and are increasingly willing to take them into consideration as evidence of the parties' intentions should the marriage subsequently break down.

They can provide certainty and a way of protecting property not derived from the marriage such as pre-marriage assets, gifts from third parties, inheritances and also provide for circumstances where there is a substantial disparity in the parties' wealth.

We can advise you on the benefits of having such an agreement in our changing Society.

Mediation

We will consider at the outset whether the difficulties you are facing would be better served by attending mediation. If so, we will refer you to an accredited mediator in your area.

The aim of mediation is to encourage people to find mutually acceptable outcomes which are geared to promote and protect the interests of both parties. However, there are various reasons why your case may not be suitable for mediation and we will discuss this with you.

Children

When a relationship breaks down, it is important that children are reassured. We

have a number of useful leaflets aimed at the different age groups of children which help you, as parents, explain to your children what is happening and the effect any separation will have on the family unit.

We encourage parties to try and resolve any differences they have regarding their children without the need for Court intervention. Unfortunately, this is not always possible and if necessary, we can advise and assist you in making the necessary application to Court.

Financial Position

The division of property and financial arrangements is often very important to separating couples. The advice we give will take into consideration any recent developments in the law and any cases which may be of particular relevance to your situation.

When advising, we consider both the short and long term consequences of any separation including guidance on the ensuing tax considerations.

Pensions

These have become increasingly important in recent years within the context of divorce and have been made easier by the introduction of Pension Sharing Orders. This enables, for the first time, pension rights to be divided at the time of divorce.

Pensions are complicated and through our experience we will advise on the best course of action for you. Sometimes because of the value of a pension scheme, its composition or complexity, it may be necessary to seek expert advice and we will do this by ensuring you have access to either an Independent Financial Advisor or a Pension Specialist.

Collaborative Law

Collaborative law is an alternative way for separating couples to work as a team with trained lawyers and other professionals (such as Child Specialists) to resolve the issues arising from their relationship breakdown. It is designed to minimise the hurt, loss of self esteem, anger and alienation that frequently occur with divorce. The philosophy is built on a belief that although individuals may cease being married, they don't cease being individual human beings. Every aspect of Collaborative practice is intended to foster respect and maintain communication for the sake of all concerned. This is done in a conciliatory and dignified manner without the added stress of going to Court.

Recent cases we have acted on

The following are just a few examples of the matters which our specialist matrimonial lawyers have recently helped their clients with:

- Acting for a non-national wife who needed the protection of an Injunction against her violent husband and an International Freezing Order to prevent the disposal of assets around the world.
- Acting for a husband in financial proceedings where the assets exceeded £10 million and successfully achieving a compromise on favourable terms for him and which resulted in him retaining the lion's share of the assets.
- Acting for Grandparents and successfully obtaining a Residence Order in their favour in respect of their two grand-children.

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