



Going to Court (or Litigation)

FAMILY LAW IN PARTNERSHIP LLP



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Why go to Court?

It may be best for you to use the Court process to decide the issues between you and your partner. Much depends on what you want to achieve and your individual circumstances.

There are many cases which benefit from a structured Court timetable which promotes and monitors disclosure. Issuing Court proceedings does not have to be an aggressive move. There may be a point of law or fact to be decided, perhaps you do not want any further contact with your partner or other process routes may have failed.

At Family Law in Partnership we don't take cases to Court for the sake of it. We will make a clear and genuine assessment of the strengths and weaknesses of your case. If going to Court is the best option for you, we will pursue your case and negotiate with that assessment in mind.

We pride ourselves on achieving consistently successful outcomes for clients through litigation. Our reported cases stand as testament to our expertise.

Why choose Family Law in Partnership?

Our expertise: we have been involved in almost all of the recent leading cases on spousal maintenance, equipping us with first hand knowledge of the way the law is interpreted and applied. We pioneered the use of private financial dispute resolution hearings and have wide ranging expertise in high conflict children work. With a strong international practice, we regularly deal with cross jurisdictional issues including jurisdiction races.

Accessing the support of others: we have close relationships with a wide range of other skilled professionals – barristers, forensic accountants, independent financial advisers, private bankers – who will work in partnership with us to support and advise you on issues ranging from how to fund your case to the valuation of your assets.

Our support for you: we will work with you as your trusted adviser throughout the Court process. Our in-house team of counsellors will be on hand to provide advice and assistance. We have a range of support services to help you with the challenges you may face:

- Court preparation sessions
- Parenting After Parting workshops to support you in helping your children through the process
- Access to workshops designed specifically for children to help them come to terms with the divorce or separation
- The support of other specialists with whom we work closely, such as Divorce Support Group

Our innovative approach: going to Court can promote conflict and acrimony. However, our background in promoting agreement outside the Court process is just as relevant in the Court process and can be vital in creating an efficient and cost effective process.

The Court Process

This involves two, or sometimes three, separate processes and applies to divorce as well as the dissolution of civil partnerships.

The first process is the divorce itself; this is usually straightforward if the divorce is undefended and depending on the grounds on which you wish to divorce. It can usually be completed within six months.

The second process is to resolve the financial issues. The first stage is information gathering. Up to three hearings then follow. The first two can be used as opportunities to settle and the third, the Final Hearing, is when the judge will make a finding of what the division of the assets and income should be.

The third process is to resolve issues relating to children. The judge will only impose a decision if you and your partner are unable to come to an agreement.

Please contact Bradley Williams or David Allison of Family Law in Partnership if you would like to find out more about how we can help you.

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