



Taking the mystery out of divorce and relationship breakdown

Are you worried about divorce or family law problems? Unfortunately, you are not alone. Over 150,000 marriages end in divorce each year. Sadly, divorce, separation and family breakdown have become facts of life.

Ending a relationship in this way almost always has a significant impact on members of those affected. The consequences can be both financial and emotional.

Divorce and family law disputes can be traumatic and confusing. Finding the right legal advisor can add to the stress. That's why the Family Law Department at Whitehead Vizard pride themselves on being quick, quiet and dignified. Our family lawyers are members of Resolution and they are collaboratively trained to enable couples to pursue a non litigious route towards divorce, if that is what they would prefer.

Our aim is to provide a sympathetic, professional and efficient service.

The family law team at Whitehead Vizard aims to help couples achieve a settlement of their differences in a constructive and co-operative way. We want to help avoid protracted arguments - especially when it comes to decisions affecting children.

That's why we have prepared this factsheet, to provide guidance on some of the major concerns which you might have.

Before you consider divorce, you should consider whether your relationship difficulties could be sorted out with the help of a relationship counsellor. There are several organisations which could help - foremost of which is the Salisbury branch of Relate (for appointments ring: 01305 262285).

However, if you decide that divorce is the right solution for you, the family

law department at Whitehead Vizard will be able to guide you through the process. We will ensure that you know your options at every stage of the process - and give you the right information to decide what action to take.

In order to get a divorce in this country, you must be able to demonstrate that you have been married for at least a year. You must also be able to show that your marriage has broken down for one of the following reasons:

- Your husband/wife has committed adultery and you find it intolerable to live together;
- Your husband/wife has behaved in such a way that you cannot reasonably be expected to live together;

- You have been separated for 2 years and your spouse agrees to divorce;
- You have been separated for 5 years;
- Your spouse deserted you more than 2 years ago.

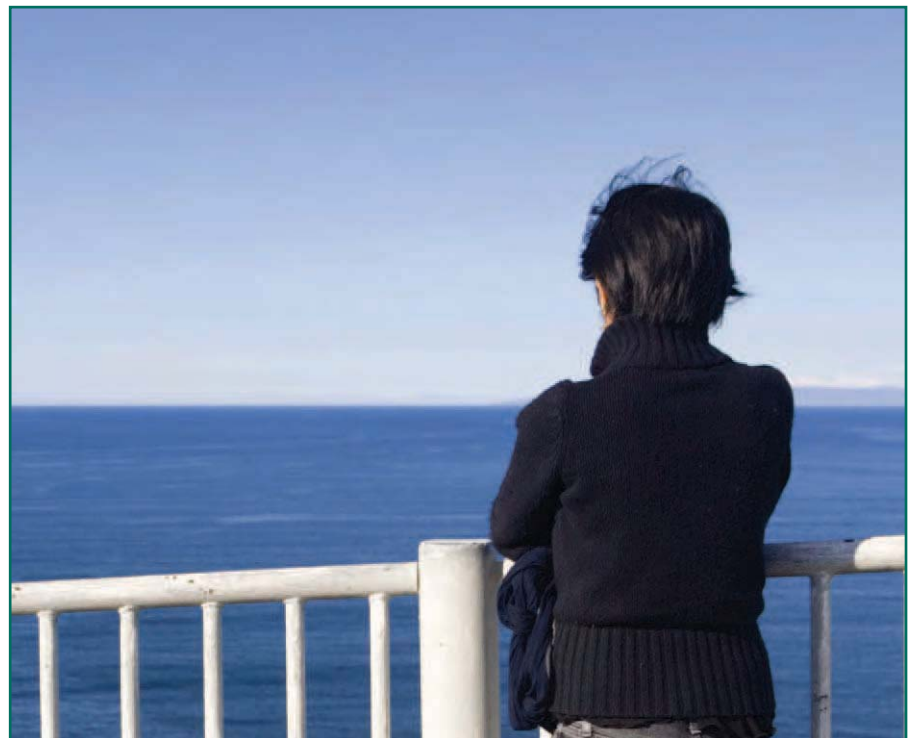
The main reasons for the breakdown of the marriage form the basis of the divorce application. This is known as the 'petition'.

There are two stages in a divorce process. These are:

A '*Decree Nisi*', and;

A '*Decree Absolute*'.

The court will grant a *Decree Nisi* when the grounds for divorce are established. After a further period of time, a court



can convert a '*Decree Nisi*' into a '*Decree Absolute*'. This formally marks the end of the marriage.

A '*Decree Absolute*' won't normally happen until all of the financial arrangements are dealt with and any matters relating to children are agreed.

If you have second thoughts, you can stop the divorce process at any time up until the '*Decree Absolute*' is granted.

Children

The Court will need to know as part of the divorce details of the children and the arrangements for their care. Whitehead Vizard's experienced family specialists can help with the right solutions as regards contact and residence for the children in the unfortunate event of disputes. We can assist you to involve other specialists too, such as child mediation services, should this be appropriate.

Financial

As part of the divorce process financial matters such as the family home, spousal maintenance, child support, pensions and investments will also need to be rearranged. Whitehead Vizard can offer a range of options to our clients. You could choose to negotiate a settlement either through us or with the help of mediation; or you may wish to conduct matters through an innovative process known as Collaborative Law. We recognise that litigating through the Courts should be the last resort and we will do all we can to avoid this, wherever possible.

Civil Partnerships

We offer exactly the same services as regards dissolution of a civil partnership, solutions for children of the relationship and financial outcomes.

Co-habitation Disputes

Many couples of both sexes are still choosing to live together these days rather than marrying. A number of problems arise when the relationship ends, not least those involving finances and property. Matters can also be complicated if there are children involved. Whitehead Vizard can offer specialist advice in co-habitation disputes.

Pre-Nuptial Agreements and Separation Agreements

Although pre-nuptial agreements are still not recognised in English law, they can prove valuable in the event of the sad breakdown of a relationship. We have the expertise to draft such agreements. In some instances, couples prefer to separate and have a written agreement beforehand of how the assets within the relationship are to be divided in the future. We would be pleased to advise and draft such an agreement, if it is appropriate to your circumstances.

For more advice on divorce, separation or family law enquiries, please call the Family Law Department at Whitehead Vizard to discuss your requirements in confidence on 01722 412141.

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