



COLLABORATIVE LAW



The information set out below is not intended to provide all the answers, and should be read in conjunction with the detailed advice provided.

Collaborative law is a relatively new way of dealing with family disputes. Rather than conducting negotiations through solicitors' letters, or within Court proceedings, each party seeks assistance from a trained collaborative lawyer, and all discussions and negotiations take place at round table meetings so that the lawyers and parties can all work together to reach an agreement.

Your collaborative lawyer will be able to advise and guide you through the collaborative process,

and work with your partner and their lawyer in the round table meetings.

When entering the collaborative process both parties sign an agreement stating that they will work together to reach an agreement, and not make an application to the Court. Negotiations can therefore take place without the threat of Court proceedings.

The parties set the timetable and the agenda. In this way both parties are able to take control of their separation, and work towards reaching an agreement which, as far as is possible, achieves the goals they set at the start of the process.

If clarification is needed in relation to, say, pensions or house valuations for example, accredited professionals can be consulted. These will act as independent experts and provide information to enable the discussions to continue.

When an agreement has been reached an order can be requested by consent from the Court. This order will make the terms legally binding, and bring the collaborative process to a conclusion.

In some situations the collaborative process may break down, in which case the parties will have to seek new lawyers as their collaborative lawyers cannot represent them within Court proceedings.

Collaborative law offers separating couples who want to work together and agree the terms of their separation without the threat of court proceedings the opportunity to do so, but still enables them to receive support and advice from a family lawyer.

HATCH BRENNER FAMILY LAW DEPARTMENT OUR APPROACH

Most family disputes are the result of a breakdown in a relationship. People in these situations are often emotionally stressed, with feelings of sadness, anger, hopelessness and guilt. No one enters a relationship expecting it to end. We appreciate that people in these situations feel very sensitive, and will often require support in reaching difficult decisions.

Where children are involved, we recognise the need to protect them from the difficulties which their parents may be having.

In our experience no one wants to go to Court over any issue if they can avoid it - although sometimes it is necessary.

Our approach is to try to negotiate fair settlements, and to keep legal costs to a minimum. However, this is not always possible because of the complexities of the case, or because the other party is not so willing to reach a fair solution.

We will try to provide realistic estimates of costs. If, for any reason, we need to vary those estimates, we will tell you. We account to clients on a monthly basis and expect those accounts to be paid promptly. We expect clients to pay Court fees on account. We also expect clients to pay on account for other fees which we may be responsible for, such as the instruction of estate agents, accountants or barristers.

We ask that you are open and honest with us.

We will seek to be non-confrontational and straightforward with the other party, or their representatives. We do not seek to enter into arguments for the sake of them, but will be firm when necessary. Our aim is to give you measured advice, in a cost-effective way, in order to reach an appropriate conclusion as quickly as the procedures will allow. This will enable you to begin putting a distressing part of your life behind you and hopefully make a fresh start.

We will be glad to help at every stage of the process. Please feel free to contact Jonathan Brock, David Bloomfield, Richard Dilks or Jo Mayes for a free initial discussion over the telephone, entirely without obligation. They will be delighted to hear from you.



4 THEATRE STREET



DENCORA HOUSE

THE FAMILY DEPARTMENT



Jonathan Brock

Jonathan is head of the family department, and is a court advocacy specialist handling matrimonial, divorce, co-habitee and childcare matters.

David Bloomfield

David is a childcare specialist and has been a Hatch Brenner partner since 1985. David is a member and former interviewer for the Law Society's Children's Panel and the Norfolk & Norwich Medico-Legal Society



Richard Dilks

Richard has always specialised in family matters including financial settlements after divorce or separation, and child-related issues such as contact and residence disputes. Richard is a Family Law accredited specialist and trained Collaborative Lawyer.



Jo Mayes

Jo joined the firm in 1985, and has had experience in civil litigation, personal injury and divorce matters. Jo is a member of the Norfolk & Norwich Medico-Legal Society.



Solicitors

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