



Family Matters

A Guide to Our Family Law Services

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Families and relationships evolve throughout a person's life time. Advice from experienced family lawyers can help navigate a course through times of change.

Our Family Law team deals with all aspects of matrimonial and family law, including:

- prenuptial agreements for intended marriages and civil partnerships
- advice on the ownership of property and cohabitation agreements for unmarried couples
- separation agreements
- divorce and dissolution of civil partnerships
- advice on contact with children
- mediation

Prenuptial Agreements

Entering into marriage or a civil partnership is a life-changing step and requires careful consideration. While planning for a life long union, it is worth considering the possible consequences of a breakdown in the relationship. A prenuptial agreement can set out in advance how the assets of a couple whose relationship has failed are to be divided. It gives each person the opportunity to consider what would be fair and reasonable in the event of a split.

A prenuptial agreement can set out how assets owned by each person prior to the marriage or civil partnership are to be divided, as well as providing for division of assets acquired during the marriage or civil partnership.

It can specify how financial planning for retirement (pensions) is to be dealt with and can even include provision for gifts to be made by a Will on the death of one of the parties.

Prenuptial agreements can be particularly helpful if either or both of the couple have children, or if there is disparity of wealth between the two individuals.

Postnuptial agreements are also available for couples who have not completed a prenuptial agreement, or who wish to restate or amend their prenuptial.

There have been important changes to the law relating to prenuptial agreements in recent years and professional advice is recommended, to ensure that the latest developments are considered.

Cohabitation

There is no such thing as a ‘common law’ marriage. Unmarried couples/couples who have not registered a civil partnership do not have the same rights as married couples/those in a registered civil partnership.

A cohabitation agreement can be used to formalise the financial arrangements between an unmarried couple, so that both individuals know what their respective contributions will be. It can also set out the rights of each individual if the relationship should break down.



It is advisable for unmarried couples or friends who buy a property in joint names to record how the purchase money has been provided, and how the costs of a mortgage loan and the general expenses of the household are to be met. Such a document can help prevent disputes arising if the relationship ends, or co-owning friends decide to sell the property.

Divorce or Dissolution of Civil Partnership

In the breakdown of a relationship the welfare of any children will be a primary concern. Another major concern is likely to be the future financial requirements of all members of the family and the division of assets.

The objective in determining the financial arrangements on divorce/dissolution of a civil partnership is to achieve a 'fair outcome'. The starting point is an equal division of assets, but this initial presumption can be defeated by the particular circumstances, in order to arrive at a fair and reasonable result.

Arrangements that can be reached by mutual agreement are to be preferred and will avoid the need for a court hearing, which can be very costly and stressful.

If there is an international element to the former relationship (whether arising from the nationality of one of the parties, or the location of assets), there can be additional legal considerations.

Mediation and 'Resolution'

Mediation can be a way of resolving the issues arising from the breakdown of a relationship without resorting to a court hearing.

'Resolution' is a national organisation of family lawyers who are committed to dealing with divorce, separation and other family problems in a way that is non-confrontational. As members of Resolution, our family lawyers follow a code of practice that is designed to be sensitive, pragmatic and cost effective.

Integrated Services

Our Family Law team is part of a wider Private Client team, which includes specialists in the fields of Wills and probate, assistance for vulnerable adults, tax planning, trust administration and contentious estates.

“Thank you for your understanding and professionalism in my case. I cannot express how grateful I am. I can only say that I would recommend you.”

Client

“They achieve the right results by being thorough and dealing calmly with every crisis. Lawyers also need to be approachable and speak their clients’ language, which VWV always seem to do.”

Nick Miller, St John’s Chambers Bristol

“Very helpful advice. Always honest and approachable in what was a very difficult time.”

Client

 [@VWVPrivClient](https://twitter.com/VWVPrivClient)

Want to Find out More?

Please contact Sally Rushton, in our Bristol office, on 0117 314 5329 or at srushton@vww.co.uk.

Alternatively, you can call our other offices (please see the back cover) and ask to speak to a member of the Private Client team.

**London Office**

24 King William Street
London EC4R 9AT
T: 020 7405 1234

Watford Office

45 Clarendon Road
Watford WD17 1SZ
T: 01923 919 300

Bristol Office

Narrow Quay House, Narrow Quay
Bristol BS1 4QA
T: 0117 925 2020

Henleaze Office

106 Henleaze Road
Bristol BS9 4JZ
T: 0117 962 9978

Birmingham Office

Second Floor, 3 Brindleyplace
Birmingham B1 2JB
T: 0121 227 3700

ajames@vww.co.uk | vww.co.uk