

# Money, property and pensions

How to avoid court proceedings



*working for  
accessible justice*

## How to avoid court proceedings

Understanding your rights and the options open to you will help you work through sensible and cost effective solutions to dividing up money and property.

Having spent over 25 years helping clients with their legal problems and running large family law firms, two well known experts decided to set up Beck Fitzgerald to deliver legal services to clients in a personal and effective way. We hear what our clients have to say about what they want and have embraced modern ways of delivering our services.

Our aim is to enable more clients to get the expert help they need, when they need it, at a price they can afford.

When you are going your separate ways, it is very important that you consider how to divide up money and property fairly so that you can both move on with your lives. Going to court can be a stressful and expensive experience. There are more cost effective ways to help you reach agreement wherever this is possible.

## Negotiations:

It may be that you are able to talk to each other about reaching a sensible division of what you own and reach realistic arrangements as to how you will both meet your future needs. It is always important that negotiations are fair and that you both have full knowledge of all of the money and property either of you own. If you can reach agreement, it is important to reflect on your initial discussions and it is sensible to take legal advice to make sure the agreement you have reached is fair and will work into the future. Having a trained expert cast their eye over the agreement reached and assisting you in making it legally binding can be a very cost effective way of reaching a sensible conclusion.

## Mediation:

If you are finding it more difficult to communicate directly, you may wish to try mediation. With mediation, both of you would talk through your positions with an independent third party who could reach an agreement which is fair to you both. Mediation gives you a safe and neutral setting to discuss the terms of your agreement. It is almost always cheaper, quicker and less stressful than going to court. If you are mediating about your finances, the mediator will produce a detailed record of the agreement which you can then take along to your legal advisor if you so wish. For mediation to work it is important that both of you agree to go down this path and feel comfortable in doing so.

## Lawyer Assisted Negotiations:

If you think it would be difficult to find middle ground by talking directly, or uncomfortable in doing so and you don't think mediation would provide the answer, we can help you negotiate. We can advise you on what proposals are fair and reasonable and can review both you and your ex-partner's financial position in order to negotiate a sensible settlement which can then be made legally binding.

## Collaborative Law:

Collaborative law provides an alternative for people who wish to bring matters to a swift conclusion by having discussions with the assistance of your own advice and support during those discussions. Both parties would have a collaborative lawyer to attend a series of face to face meetings with them to help reach a fair agreement.

## Arbitration:

Arbitration is a form of dispute resolution where both of you agree for a qualified professional to be appointed as an arbitrator to decide some or all of the issues you have in relation to your separation. The decision is made in a similar way to a judge and a binding decision is made known as an award. The process is faster than going to court, you can choose your own arbitrator and the issues you wish for them to decide.

---

For more information please contact us on:

[contact@beckfitzgerald.co.uk](mailto:contact@beckfitzgerald.co.uk)

or call us on 020 7101 3090

[www.beckfitzgerald.co.uk](http://www.beckfitzgerald.co.uk)