

# LEGAL EAGLE



WITH MARY SHAW

## Putting the #childrenfirst

The fourth national Family Dispute Resolution Week takes place this week.

This awareness-raising week highlights the alternatives to court for separating couples to provide support and advice for separating families.

Research over the past 20 years shows clearly that it is not parental separation which causes children long-term harm but rather parental conflict during separation and beyond: children exposed to adult conflict are at risk of emotional and behavioural difficulties, trouble getting on with friends and family and problems settling and achieving at school.

Many people contemplating separation or divorce

still believe that it is almost inevitable that things will get ugly, legal fees will spiral and that they will inevitably find themselves in court.

Sadly this image of divorce is all too common and many parents believe that there is little that they can do to protect their children from a bad divorce.

In fact there are legal Dispute Resolution (DR) options that support couples to separate without high conflict and in a way that keeps their children's sense of family intact, albeit changed.

Collaborative law has impressive results. About 85% of cases using the collaborative approach resolve.

You and your partner each choose a collaborative lawyer

and commit to not going to court and to resolve things by round the table discussions.

Other professionals can be brought into the process both to advise on all aspects of your finances including pensions and businesses and to support the process.

The couple has real control over what is discussed and the outcome. This is quite unlike going to court where a judge will make decisions based on what he or she considers to be relevant and important.

In the collaborative process couples who are parents can prioritise what they think is most important for their children. Another process which can be very effective is mediation. In media-

tion the couple meets with a mediator, sets their own agenda with the mediator's help and meets to put together a full and clear financial picture before discussing how best to resolve things.

Mediation is suitable for both children and money issues and couples taking part in mediation are encouraged to take legal advice as the process progresses.

Sometimes we are asked whether it is possible for a couple to come in together to see us. Although it is important that each person should have the opportunity to get separate and private legal advice at the right time it can be very helpful for you to be able to hear the same information together at the beginning of

your separation journey and we offer couples information meetings for this very purpose.

A common misunderstanding about DR processes is that these only work where couples are friendly and mutual trust is high at the outset: DR processes can help to reduce conflict and build trust, something that will be very important to help you co-parent your children to successful and happy adulthood.

If you are separating or contemplating separation or having difficulties in your post separation co-parenting relationship contact us for information about how a DR process may help you. During Family DR Week we are offering free information packs

and a special deal on couples meetings – see our website for details.

● **Mary Shaw is a solicitor in David Gray Solicitor's award-winning family team (Northern Law Awards 2015) rated as Top Tier in The Legal 500 and Chambers national directories. Mary is a collaborative lawyer and an accredited family mediator.**

**You can contact Mary for a no obligation chat via the website where you can Chat Live 24/7 or call 0191 243 8163 for an appointment.**

● Follow Family DR Week on Twitter using #childrenfirst



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