



# Family Law

We have one of the largest and most experienced family law teams in Yorkshire, renowned for its passion and dedication to every case.

We deliver exceptional and affordable legal services, enabling our clients to achieve the best possible solutions and results.

## Our team of lawyers specialises in:

- Dissolution of marriage or civil partnership;
- Children;
- Financial disputes;
- Emergency financial remedies;
- Pre- and post-nuptial agreements; and
- Living together agreements.

**Take advantage of our no obligation free initial appointment by contacting us.**

**We recognise the importance of providing clear, realistic advice in a straightforward manner.**

Family problems can prove stressful and highly emotive. Important decisions may need to be made about the future, your children, your finances or maybe even your business. Our highly experienced team of lawyers will work with you to understand and help you, fully supported at all times by our inhouse commercial, property, employment, trusts and probate teams.



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**0113 284 5000**

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## Frequently Asked Questions

### **I have not yet been married for one year. Can I obtain a divorce?**

No. There is an absolute bar to a divorce petition being filed at Court before one year has elapsed from the date of the marriage. There is however nothing to prevent the preparation of the proceedings so the petition can be filed as soon as one year has elapsed.

### **On what basis can I seek a divorce?**

The only ground for a divorce is the irretrievable breakdown of the marriage. A divorce can only proceed if the court can be persuaded that one of the five facts proving irretrievable breakdown has been proved. The five facts are:

- Your spouse has committed adultery and you find it intolerable to continue living together.
- Your spouse has behaved in such a way that it would be unreasonable to expect you to continue living together.
- Your spouse has deserted you for

a continuous period of two years or more.

- You and your spouse have been living separately for two years or more and your spouse agrees to the divorce.
- You and your spouse have been living separately for five years or more, whether or not your spouse agrees to the divorce.

### **I do not own the property in which I live with my partner to whom I am not married, can I make a claim?**

This would depend on all the circumstances of your residing in the property, for example the contributions, and type of contributions, you have made and the intentions between you and your spouse at the time the property was purchased. Your lawyer will discuss the details relevant to your case with you.

### **What orders can I seek in relation to my children?**

**Child arrangements order** - this

is an order which details where a child will live and the time the child will spend with each parent.

**Prohibited Steps** - This prevents a parent from doing something. **Specific Issue** - This decides a specific issue about the child's upbringing.

**Parental Responsibility** - If this cannot be agreed between the parties.

### **Is a pre/post nuptial agreement 100% binding on a court?**

No, it can be highly persuasive though depending upon the circumstances in which it was entered into - one factor is whether the parties had legal advice!

### **I am divorced can my ex still make a financial claim?**

Yes, if there has not been an order in financial proceedings dismissing all claims. This can be dealt with by a consent order - please discuss with your lawyer.



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