

## Welcome to the March 2016 Family Law Newsletter.

***AWB Charlesworth Solicitors have a team of experienced Lawyers who solely specialise in Family Law. In this issue firstly we introduce you to our new Head of Family, Liz Hebden; then discuss the impact that a separation can have on the family unit and finally take a look at who has the rights with regards to Parental responsibility.***

---

### A warm welcome to Liz Hebden

---



#### Liz Hebden joins AWB Charlesworth Solicitors as Head of Family.

Skipton, Keighley and Bradford based law firm AWB Charlesworth Solicitors are pleased to welcome experienced family solicitor Liz Hebden to head up their Family Department. Liz qualified as a Solicitor in 1988 and has many years of experience in dealing with divorce/civil partnership dissolution; resolution of financial matters on relationship breakdown (including cohabitation disputes); cases involving children and pre-nuptial and post-nuptial agreements. Liz is also a member of

Resolution, an organisation of over 5000 family lawyers committed to conducting matters in a conciliatory and non-confrontational way.

When asked about her particular chosen career, Liz said *“The most rewarding part of my work is helping to navigate clients through issues arising from their relationship breakdown and seeing them emerge at the end of the matter emotionally stronger than when we first met and ready to move on with their lives. Not only is it necessary to be a competent lawyer, family work often requires empathy, positivity, the*

*ability to listen and compassion.”*

About her recent move to AWB Charlesworth Liz said: *“AWB Charlesworth has a great reputation across the region for its pro-active and forward-thinking approach and for its quality of work. The vision of the firm and development opportunities available readily appealed to me. I am looking forward to continuing to drive the department forward in providing the best quality service at a competitive price.”*

children are involved. Every situation is unique, with different issues to be resolved, from arrangements for children, complex financial matters, division of pension funds and whether inherited assets form part of the matrimonial ‘pot’. Our advice is tailored to an individual's needs.

## Solutions

Our aim is to support, guide and advise clients to assist them in making decisions that promote a fair outcome, which preserves relationships and protects any children of the family. Alternatives to Court proceedings are considered, such as mediation, family arbitration or round-table meetings where both parties and their lawyers endeavour to negotiate a settlement in an informal setting.

---

## If Separation seems like it is inevitable...

---

If you are married, in a civil partnership, or living with someone, the breakdown of a relationship is always a difficult time. Our experienced family lawyers at AWB Charlesworth will listen to what you want and give practical and clear advice to set you on the right path for a brighter future.

## Advice and Support

Nobody plans to separate when they marry, form a civil partnership or live together. Therefore when it does happen, people often do not know which way to turn. The distress of a relationship breakdown cannot be underestimated particularly where



---

## Is there such a thing as a 'Quickie Divorce'?

---

Gossip columnists regularly report that yet another celebrity couple has been granted a 'quickie divorce'. This supposedly quick service is offered by many websites who claim that a divorce can be obtained for as little as £37.

In reality, how quickly a divorce proceeds will very much depend on whether the case is contested, how quickly the paperwork is prepared and sent to the Court and how quickly the Court is able to process the paperwork. There is no shortcut for the rich and famous or via on-line providers.

It is becoming more popular for people to proceed with a divorce on-line for a so-called 'quickie divorce' rather than paying a solicitor to deal with this. Here at AWB Charlesworth, we would urge anyone considering this option to think very carefully. Divorce is a legal process and requires careful thought. Liz Hebden, Head of Family, has experienced cases where Clients have taken short-cuts and come to regret it.

It is therefore important to consider the following points:

- Getting the paperwork right

is crucial. Liz has seen a large number of cases that should have been straightforward

which have been held back because of errors in the paperwork.

- The costs of rectifying errors can outweigh the costs of getting it right in the first place.
- Legal advice is essential for issues relating to children, division of financial assets, pensions etc.
- Court Orders are strongly advisable to deal with the division of financial matters to avoid a claim in the future.

It may seem enticing and cost-effective to avoid paying lawyers' fees and to do it yourself on-line, but you are well advised to take legal advice before doing so. Our Family Law Solicitors will advise you through the divorce process and provide you with realistic timescales and likely costs. Crucially, they will advise you on the things that matter the most - your children, your home and your financial security.

---

*“Our fixed fee initial consultation of £60 can help to take an additional burden off your mind which right now is likely to be on overload...”*

---

## **Parental Responsibilities – Who has the rights?**

Parental Responsibility is the legal status which determines “all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property”. A person who has Parental Responsibility for a child therefore has the right to make key decisions regarding their upbringing including where the child should live, their education, medical treatment and religion. Given its importance, it is vital to ensure that Parental Responsibility is in place or if not, know how it can be acquired. Parental Responsibility is automatically acquired by all mothers, fathers married to the mother at the time of the child’s birth, fathers named on the birth certificate (on the proviso the child was born after 31<sup>st</sup> December 2003) and civil partners/ partners of mothers registered as the child’s legal parent on the birth certificate.

If Parental Responsibility has not automatically been acquired (for example, by a father not named on the birth certificate, step parent or grandparents looking after a child) then you may wish to take steps for it to be obtained. The most common method of doing so would be to reach a Parental Responsibility Agreement with all those who already have Parental Responsibility or alternatively, it can be acquired by way of an application to the Court for a Parental Responsibility Order.

If such an application is made, the Court will make a decision based upon the “Welfare Checklist” and determine whether it would be in the child’s best interest. Other factors that would be taken into consideration would include whether the applicant’s has shown sufficient commitment to the child to justify them in obtaining Parental Responsibility and the reasons it is being sought.

## **\*\*Fixed Fee Preliminary Consultation\*\***

The most important thing is that you choose a lawyer that is right for your case. It is essential that you feel comfortable with and confident in your representative. Before you commit to anything, we will offer you a preliminary consultation for a fixed fee of **£60**. We will help you understand your options and provide sensitive, impartial and honest advice for you to make choices.



*Andrew Foulds (Family Lawyer) and  
Liz Hebden (Head of Family)*

***‘ Thank you so much for your kindness, help and support at a very difficult time. Will be in touch with regards to Power of Attorney.’ March 2016***

AWB Charlesworth Solicitors aim to make life easier for you. Our team will provide you with expert legal advice for your personal life and your business presented clearly and efficiently. Each with their own specialist skills, our lawyers provide friendly local support backed by skilled expertise in a comprehensive range of legal services.

- ◆ Commercial Law
- ◆ Employment Law
- ◆ Dispute Resolution
- ◆ Commercial Property
- ◆ Residential Property
- ◆ Family Law
- ◆ Wills, Trusts and Probate
- ◆ Agricultural Law
- ◆ Inheritance Tax

For our latest blogs on legal updates please visit our website.



For more information visit our website  
at: [www.awbclaw.co.uk](http://www.awbclaw.co.uk)

**call 01756 793333**

### **MEET OUR FAMILY LAW TEAM**



**Liz Hebden**

Head of Family

[Elizabeth.hebden@awbclaw.co.uk](mailto:Elizabeth.hebden@awbclaw.co.uk)

(01756) 692871



**Andrew Foulds**

Family Lawyer

[Andrew.foulds@awbclaw.co.uk](mailto:Andrew.foulds@awbclaw.co.uk)

(01756) 692877