

## Merry Ex-Mas

**Karen Chapman**, accredited family law specialist at Vanderpump & Sykes Solicitors, and a member of Resolution, looks at how to have a 'good divorce'

It's that time of year when newspapers fill their pages with statistics about divorce lawyers' post-Christmas boom. For many unhappy partners, revelations of an office fling, financial worries or the added pressure of spending more time together is all too much. In my own household, Christmas isn't the same without the seasonal arguments over the division of labour (me, cards, shopping, wrapping, tree, cooking, ..him, avoiding the aforementioned). My festive cynicism was swept aside when an old client told me how much she enjoyed spending Christmas with her ex-husband and their children, adding... "we really are the best of friends". There are many couples who do manage to have a "good" divorce, that is a parting of ways without destroying lives and where children continue to have two parents, though sadly those cases don't make interesting headlines. In 2010 the Family Justice Review suggested that compulsory family mediation could be a way forward. Mediation and other forms of dispute resolution such as collaborative law can often be presented by their proponents and by government ministers as a panacea which alleviates much of the hostility of divorce. It is unrealistic to expect mediation to resolve marital conflict but it has an important role to play in helping couples settle arrangements in a non-adversarial way and offers choice.



### FAMILY MEDIATION

Working with an impartial mediator, couples negotiate their own proposals for the care of their children, financial support, and distribution of assets. The aim of mediation is to help reach solutions together that focus on a positive future for couples and their families with the advantage of saving time and costs and ensuring couples complete control.

### COLLABORATIVE LAW

Each person appoints their own lawyer but instead of conducting negotiations by letter or phone the parties meet together to work things out face to face. Each party has their lawyer by their side throughout the entire

process and therefore benefit from legal advice as they go. The aim of collaborative law is to resolve family disputes without going to court. One of the benefits of the collaborative process is that it's not driven by a timetable imposed by the court. So to a large extent the process can be built around the family's individual timetable and priorities.

### SPECIALIST FAMILY LAWYERS

There are many specialist family lawyers who are members of Resolution which prescribes a Code of Practice to encourage a

non-confrontational approach to family law matters, using the traditional route of representing one party, with negotiations, usually by letter and phone. The principles of the code are widely recognised and requires lawyers to deal with each other in a civilised way and to encourage their clients to put differences aside and reach fair agreements.

Whichever route you opt for, it is important to get legal advice from a specialist family lawyer at an early stage to decide which route is best suited to your particular case.

For advice on the above or any family matter, contact Karen on 020 8370 2877 or by e-mailing [karenchapman@vanderpumps.co.uk](mailto:karenchapman@vanderpumps.co.uk)

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