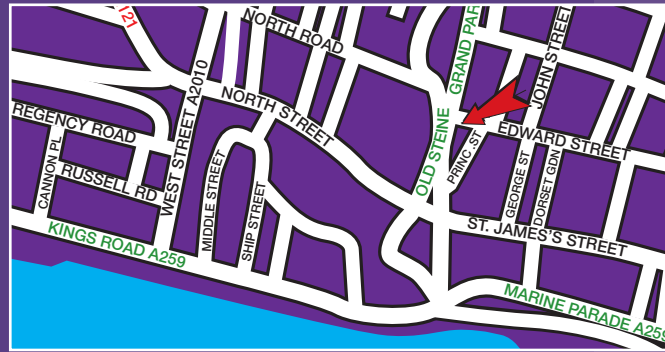


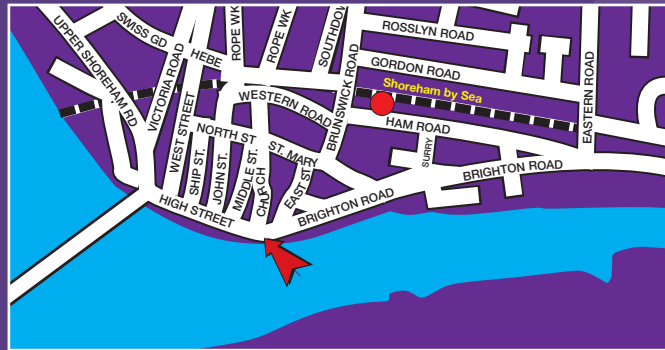
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Family Law



The Fitzhugh Gates family law department prides itself on the high quality of service its specialist solicitors deliver.

We adopt a constructive and personal approach to complex legal and emotional circumstances. Our approach has resulted in most of our instructions originating from personal recommendation.



We will manage your case by utilising our experience and skills of listening, negotiating and representation at court.

We provide a range of services within the department. We undertake Legal Aid as well as privately funded work.

HEAD OF DEPARTMENT: NICOLE LAWTON

Nicole Lawton is accredited to the Law Society's Children Panel and Family Law Panel. Law Society accredited specialists - known as panel members - have expert skills, knowledge and experience that are tested and certified against the highest standards. She specialises in financial matters upon divorce/separation and Children Act cases.

We consider that it is important that clients have the benefit of advice from qualified solicitors who are experienced, and who can conduct their case on from beginning to end, including representing the client in Court. Due to the size of our Department, we are also able to manage emergencies quickly and make applications to the Court very promptly. If the case is urgent, we are very often able to take the matter to Court the same day as the instructions are obtained from the client.

We have strong links with other service providers.

DIVORCE/CIVIL PARTNERSHIP DISSOLUTION

We approach your divorce proceedings with complete sensitivity. We will discuss and establish the most appropriate ground for your divorce/dissolution.

A divorce can only be granted if the marriage has irretrievably broken down. There are five different "grounds" for a divorce namely:

- (i) Your spouse has committed adultery.



- (ii) Your spouse has behaved in such a way that it would be unreasonable to expect you to continue living together.
- (iii) Your spouse has deserted you for a continuous period of 2 years or more.
- (iv) You and your spouse have been living separately for 2 years or more and your spouse consents to the divorce.
- (v) You and your spouse has lived separately for 5 years or more whether or not your spouse consents to the divorce.

We will provide you with a leaflet setting down the divorce procedure in more detail at the beginning of your case.

Your divorce will be taken to a conclusion in accordance with your individual instructions and circumstances of your case.

FINANCIAL SETTLEMENTS FOR MARRIED AND UNMARRIED PARTNERS AND CIVIL PARTNERSHIPS

Financial matters are often complicated and highly emotive. We are experienced in dealing with a broad range of high net worth financial cases. Such cases sometimes involve property (foreign and domestic), pensions, companies, trusts, agricultural assets and complex sources of income.

Our expert witness services for example, forensic accountants, surveyors and financial advisers will be available to you as required.

We instruct experienced barristers when you wish to use this additional service or your case otherwise demands.

DOMESTIC VIOLENCE, ABUSE AND HARASSMENT

We prioritise domestic abuse enquiries and aim to provide an appointment without delay.

We will take your instructions sensitively. We will then establish the most appropriate way forward, which can include making an urgent application to court on the same day as your first appointment.

Our experience ensures that the most appropriate type of application is made to the court. This can include "without notice" applications. This means that the Respondent does not receive notice of the first court appointment. There are a number of different types of applications which are necessary including, non molestation and occupation order applications. We aim to undertake the advocacy ourselves to ensure continuity, given the sensitive nature of your case.

SEPARATION AGREEMENTS FOR MARRIED, UNMARRIED PARTNERS AND CIVIL PARTNERSHIPS

In certain circumstances, our clients wish to enter into separation agreements. Such agreements will be tailored to your individual needs, instructions and circumstances.

Separation Agreements can embody many arrangements, including your children and your finances.

DISPUTES ABOUT CHILDREN, INCLUDING CARE AND FINANCIAL

We represent parents and children in care proceedings and in private law proceedings. We are well recognised for our professional approach and knowledge of all types of cases relating to children. We frequently conduct cases involving applications for a residence order, contact order, prohibited steps order, specific issue order, special guardianship order, supervision order, care order and an adoption order.

Your children are a prime consideration of the court. When the court considers non financial applications concerning children they consider what is known as the "Welfare Checklist". The checklist provides as follows:

- (a) the ascertainable wishes and feelings of the child concerned (considered in the light of their age and understanding);
- (b) his/her physical, emotional and educational needs;
- (c) the likely effect on him/her of any change in their circumstances;
- (d) his/her age, sex, background and any characteristics of his/hers which the Court considers relevant;
- (e) any harm which he/she has suffered or is at risk of suffering;
- (f) how capable each of his/her parents, and any other person in relation to whom the Court considers the question to be relevant, is of meeting his/her needs;
- (g) the range of powers available to the Court under this Act in the proceedings in question.

The family team of solicitors are experienced in preparing and advocating your case in court. We are in court on many occasions each week. However, wherever possible parties are encouraged to try to resolve matters without reverting to the court arena. We are able to refer clients to mediation services where this is appropriate. We are able to advise you about financial applications which can be made in relation to children under the Children Act 1989 and guide you in relation to Child Support calculations.

