



Family Law

A GLOSSARY OF TERMS

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Meet the Team:



CHRISTOPHER PRICE

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Since qualifying as a solicitor in 2003, Christopher Price has always specialised in family law. He has headed up Tayntons' family, divorce and children team since 2006 and has developed a solid reputation in the handling of relationship disputes combined with an approachable demeanour.



SANDRA WALLER

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Having worked in law since 1996, Sandra specialises in Family, Divorce and Children. Sandra works with her clients in an approachable and personable manner to address family-related issues from cohabitation, pre-nuptial agreements, divorce as well as resolving financial matters and arrangements for children following a relationship breakdown.



LUKE STEPHENS

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Since qualifying as a solicitor in 2021, Luke has continued to specialise in family law and has since had a great deal of experience dealing with complex family disputes including disputes over contact. Alongside this, he has also been able to deal with divorce and financial disputes whilst adopting a friendly and pragmatic approach. Luke also has advocacy experience and is able to represent his clients in legal proceedings..

Family Law:

A GLOSSARY OF TERMS

Legal terms aren't always straightforward or obvious. We've set out below some of the more commonly used words and phrases to help you understand the legal process.

ALTERNATIVE DISPUTE RESOLUTION

This is a means of settling a dispute other than going to court, such as mediation or arbitration. Where there is a disagreement between parents, mediation is often a requirement before permission is given for a court case to commence.

CAFCASS

The Children and Family Court Advisory and Support Services is a government agency that works to advise courts on what is in the best interests of a child.

CHILD ARRANGEMENTS ORDER

A child arrangements order gives details of which parent a child will live with and how much time they will spend with the other parent.

Other orders available in respect of children include a prohibited steps order, which prevents someone from taking a particular action such as removing a child from your care, and a specific issue order which could give permission for activities such as taking a child abroad or sending them to a particular school.

CHILD MAINTENANCE

This is the amount paid by one parent to the other to support a child. The government Child Support Agency can help if agreeing maintenance payments between parents proves difficult.

CLEAN BREAK

This is a type of agreement reached between a couple whereby all financial and other matters are settled and no future claim against the other can be made.

CONSENT ORDER

Where a couple have agreed on certain issues, such as child arrangements or financial matters, the court can be asked to sign a consent order giving legal force to the agreement.

DECREE ABSOLUTE

This is the final order which ends a marriage.

DECREE NISI

This is an interim divorce order, issued before the decree absolute and giving notice of a pending divorce.

FINAL HEARING

This is the hearing at the end of a contested case where the court will rule on any applications that have been made, commonly in respect of financial matters.

FINANCIAL DISPUTE RESOLUTION HEARING

Also referred to as an FDR hearing, this is when the court hears arguments in respect of financial matters and attempts to negotiate a financial agreement. The judge will not make a ruling but will indicate the likely contents of an order, should the matter proceed to a final hearing.

FINANCIAL ORDER

An order made by the court in respect of the financial aspects of a divorce.

FORM A

Application to the court for a financial order.

FORM E

A financial statement providing information about a party's finances and other relevant circumstances following an application for a financial order. Evidence such as bank statements will need to be attached and the information provided to both the other party and the court.

FORM H

A form giving an estimate of the costs that will be incurred up to and including a court hearing, to include the fees of solicitors, barristers and experts.

LUMP SUM ORDER

An order of the court that one party pay a fixed sum of money to the other.

MAINTENANCE PENDING SUIT

An order made by the court that one party pay maintenance to the other for an interim period, for example, during the time that legal proceedings are ongoing.

MEDIATION INFORMATION AND ASSESSMENT MEETING (MIAM)

A MIAM appointment is usually required before the parties can ask the court to decide financial or children issues. The intention is to settle matters by agreement without the need to go to trial. It may not be compulsory in cases of domestic abuse, urgency or where one party is based overseas.

PARENTAL RESPONSIBILITY

Rights granted to a parent in respect of the care and upbringing of a child, automatically given to all birth mothers, to fathers who are married to the mother at the time of the birth and to fathers named on a birth certificate where the birth was registered after 1 December 2003.

PERIODICAL PAYMENTS

Payments made by one party to the other for living expenses or for the benefit of a child.

PETITION

A petition is the initial document filed with the court to commence a divorce.



Contact us

At Tayntons we have wide experience in all aspects of divorce and family law. If you would like to speak to one of our expert solicitors about divorce or children issues, email us at info@tayntons.co.uk, call us on 0800 158 4147 or request a call back and a member of our team will be in touch promptly.

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