

Separation and the family home

For those facing separation or divorce decisions about their family home are often difficult. Couples worry about where they will live, and whether they will be able to buy another property. Amidst all the upset and uncertainty they worry about the impact of the changes on their children.

Where practical the Family Courts make Orders which enable children to remain living in their family home after divorce, and when that is not possible try to ensure that a suitable home can be purchased by one or both parents. Various legal devices are used to facilitate this, sometimes postponing the sale of the family home until the children have left school.

Family Mediation offers a forum in which parents can talk through the decisions they need to make about their home and financial arrangements with an independent mediator with many years experience of dealing with problems of the sort they now face. The mediator will help the couple consider their overall financial position, and provide them with information about the choices open to them, and the practical realities behind the alternatives they are considering. The mediators will also prepare a written summary of the arrangements the couple are considering to enable them to obtain legal advice and instruct solicitors to draft appropriate legal documentation.

Couples willing to work together in mediation avoid the cost, uncertainty and bitterness of Court proceedings or prolonged negotiations between solicitors. You can contact family mediation services direct, or by referral from your solicitor. Your initial appointment will give you the opportunity of meeting a mediator on your own, and finding out more about the mediation process before committing to it. Mediation Services which have the Mediation Quality Mark and are contracted to the Community Legal Service provide mediation free to those financially eligible for legal aid.

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