



Family Mediation

emgsolicitors

'Thank you so much for all your efforts to help me . I have to say this would not have happened without you! You are all an amazing team and I really feel you all care.'



At EMG Solicitors, we appreciate how important it is to protect your family. Whether you are married or living together, have children or not, the issues that arise from family breakdown are stressful and can be confusing.

Our Family Mediation team know that making the decision to seek help and assistance is often daunting. Our mediators are specialist family lawyers who understand how to support you through any difficulties you are experiencing. With their experience in Family Law they are well placed to facilitate and guide you constructively through any financial or children discussions within the mediation process.

Our Family Mediation team can assist you to find a solution that then allows you to move forwards. These are a few of the areas where we can help you:

- Divorce and Finances
- Children Issues
- Living Together
- Separation
- Pre or Post Nuptial Agreements
- Civil Partnerships

Our mediators would be more than happy to have a chat with you about any family matter and whether it may be suitable for mediation.

Divorce, Dissolution, Separation and Financial Matters

Our team understand how upsetting ending a relationship can be. There are many issues to discuss and resolve.

We can help you decide such things as:

- If you are to divorce or seek a dissolution of a civil partnership on what basis this will happen and what is to be said within the formal paperwork;
- How to document or agree a separation if you are not getting divorced or are not married and wish to go your separate ways;
- If you are looking to start a relationship and want to look at agreeing financial matters between you whether you are going to live together or get married;
- When you separate or divorce how to fairly divide your financial assets.

Finding the right mediator is vital - knowledge and legal expertise are important but having someone there working with both you and your partner to help you both to get the best outcome for you is vital.

As our mediators are collaboratively trained which, like mediation is a process designed to help separating couples reach agreement in a constructive and non-adversarial way, they are used to helping and assisting clients keep the outcome within their control.

Children

When a relationship breaks down, it is often the children that get caught in the crossfire. Disagreements over who children spend time with or live with with can be very difficult for everyone concerned, parents and grandparents alike.

Our mediators can help you to have positive and constructive discussions, leading to agreements or narrowing the issues regarding:

- children's arrangements on separation and the time spent with each parent or grandparent;
- paternity issues;
- name changes;
- schooling;
- relocation (both domestic and international)

Mediation can help parties constructively look at the issues, explain your options and guide you through the process. This helps you and your partner to make decisions that best meet the needs of your family.

Getting Divorced



Divorce/civil partnership dissolution

The legal process starts with completing the petition where you ask the court to dissolve your marriage/civil partnership. You must meet the legal ground for a divorce or dissolution. A petition is sent to the court along with the court fee. The Court reviews the documents and if you have met the grounds for a divorce/dissolution will pronounce a decree nisi or conditional order. After a cooling off period of 6 weeks and 1 day you can apply for the decree absolute or final order. Once the decree absolute or final order is made your marriage or civil partnership is at an end.



Arrangements for children

If you have children you will hopefully agree the arrangements for them following your separation such as where they live, who will look after them and when and arrangements for holidays. This can be agreed directly between parties or through negotiations via solicitors.



Mediation for arrangements for children and finances

If you do not agree the arrangements for your children or the finances then you can try mediation to resolve these issues. A mediator is neutral and helps you and your ex-spouse/partner to try and discuss and negotiate an agreement. A mediator cannot give legal advice or impose a decision upon you instead they are there to help you seek solutions. A referral to mediation is necessary before a Court will issue a children or financial application. EMG offer mediation services and Sue McArthur, Senior Associate in our family team is on hand to assist with any mediation needs.



Collaborative Family Practice

This is a dispute resolution option whereby both parties instruct specially trained collaborative lawyers and engage in a series of round the table meetings to discuss and resolve the legal and practical aspects of your separation. Legal advice is given throughout the process. To keep everyone focused on reaching an agreement the parties and lawyers sign a participation agreement confirming in the unlikely event an agreement is not reached new solicitors will be instructed for the court process.



Court Order

If you cannot agree the arrangements for your children or finances and negotiations, mediation or collaborative family practice do not work or are not appropriate then you can ask the court to determine these issues. We can provide advice on what the court is likely to consider fair to assist in negotiating a settlement and provide you with negotiations and court representation and have any agreement or decision recorded in a legally binding order. Financial disputes can continue after you're divorced.

'I had an urgent situation that needed attention which was dealt with by Sue with the urgency required. Also she dealt with me in such a kind, considerate but professional manner. Taking time to make sure I understood the urgency of my situation.'

Sue McArthur

Senior Associate

Sue is an Accredited Family Mediator and has been a Solicitor for almost 30 years. Sue trained as a solicitor in London and after 10 years emigrated to Australia where she requalified as both a Barrister and a Solicitor. Since returning to the North East in 2003 she has spent the majority of her time in a practice in Gosforth as a Partner and Head of the Family Department. Sue joined EMG Solicitors in March 2020 as a Senior Associate.

Sue is a Resolution Accredited Specialist Solicitor in relation to financial matters for both married and unmarried couples. She is also a Collaborative Family Lawyer (the 'no court' divorce) Sue is a longstanding member of Resolution, both as a Solicitor and as a Mediator. She is a member of the local Resolution Committee and is a National Representative for the local Resolution Collaborative Group.

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emgsolicitors

Supporting Clients. Protecting Assets. **Changing Lives.**

‘Julia, was very helpful, knowledgeable and understanding. We certainly wouldn’t of got the outcome we did without her. She was very approachable and we had full confidence in Julia. I would certainly use EMG Solicitors again and would recommend anyone needing legal advice or help to go to them.’

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