

Child Involvement In Separation



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Our experienced family law team support a non-confrontational approach to divorce that takes into account the best interests of children involved.

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'They have been with us every step of the way and supported our family issues.'

Family Law Client

Guide to Child Involvement in Separation

One of the most important things to consider when a couple separate or divorce, is the effect it will have on their children. Rather than talking about the rights of parents, the law talks about the 'parental responsibility' for a child.

So how are things decided?

When making the arrangements for children it is important to be willing to negotiate and come to an agreement rather than argue at length. If both parties agree a proposal, it is more likely to work than if one party is not happy.

It is best if you and your partner can come to some private arrangement regarding your children. This means the Courts do not become involved and your children are protected from unnecessary upset.

Excellent  

For more information visit [hegarty.co.uk/divorce](https://www.hegarty.co.uk/divorce)

What if we cannot reach an agreement about our children ourselves?

If you cannot reach a private agreement yourselves, the first step is to speak to your solicitor. They may be able to suggest alternatives and to speak with your ex-partner's solicitor and come to some agreement, again without involving the Courts directly. If this proves impossible, the Court can become involved and will make the decision based on what they deem to be in the children's best interests.

In the most straight-forward cases the court may simply want statements from the parents so that a decision can be made based on the evidence. If there are welfare concerns, then the court may ask for a Welfare Report, which is a detailed report and is drawn up by an expert who deals with these cases on a daily basis.

This will usually involve a visit to where the children are living and, if they are old enough, asking them questions about how they feel. If there are significant facts in dispute, then the Court may hold a fact-friendly hearing, particularly if there are disputed allegations of domestic or child abuse.

What will the Court decide?

The Court can decide with whom the children live, how much time they will spend with the other parent. The Court can also make decisions about specific issues such as relocation, change of name, or which school a child should attend.

Why choose Hegarty Solicitors?

Lawyers in our family law department are all professionally qualified and have a wealth of experience in this area of law. Many of our team are also members of Resolution, a national group of family lawyers committed to the non-confrontational resolution of family disputes.



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