



**Martin Adams & McColl**

**Budgeting in Family Law Matters**

We have listed below the likely costs for the divorce/dissolution, sorting out the finances, reaching an agreement regarding the children, applying for injunctions and enforcing orders.

If you have reached an agreement regarding some matters, for example contact with the children, you will not need to incur any fees for these. We set out all of the fees in case your circumstances change. Please note the disbursements are payments to others (e.g. court fees) and are estimates.

**Divorce/Civil Partnership Dissolution**

<b>Acting for</b>	<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
Petitioner- issuing divorce/ dissolution petition	£400.00 - £800.00*	£80.00 - £160.00	Court issue fee £550.00	£1,030.00 - £1,510.00
			<b>Potential additional disbursements:</b>  Court fee if Respondent fails to acknowledge Petition - £105.00  Fee for copy marriage certificate if lost £10.00  Certified translation of foreign marriage certificate is variable (often around £100)	
Respondent – Responding to divorce	£200.00 - £600.00*	£40.00 - £120.00	Court fees may be payable if the Petitioner fails to progress the divorce	£240.00 - £720.00

\* These are costs for a typical divorce. If you wish to defend a divorce or enter a cross petition costs will be higher.

## **Finances**

### **Stage 1 – Negotiation**

#### **Agreement reached:**

If you have reached an agreement with your spouse and want it to be legally binding then our time spent providing you with advice, drawing up the order and lodging it with the court are likely to be as follows:

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£400.00 - £1,400.00	£80.00 - £280.00	£50.00	£530.00 - £1,730.00

If the court does not approve the order and requires further information or lists it for a hearing, then the costs will be on the higher end of the scale.

#### **No Agreement reached:**

It is possible to reach an agreement about the finances without issuing court proceedings. In the first instance we will request financial documents from the other party and from yourself. We will then consider these and give you advice as to likely settlements. An offer can then be submitted to the other side. If an agreement is reached this is drawn up into a court order and will be lodged with the court for approval. The likely costs of this negotiation will be in the region of:

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£1,200.00 - £3,000.00	£240.00 - £600.00	£50.00*	£1,490.00 - £3,650.00

If negotiations are protracted or there are complex issues to sort out costs may exceed this estimate.

### **Stage 2 – Commence Court Proceedings**

After issuing proceedings the Court will set a date for a first Court hearing. It will be necessary to prepare a financial statement and we will prepare this for you. We will also need to consider your spouse's financial statement and prepare a schedule of assets, financial questionnaire and list of issues. The likely total costs for getting to this stage are:

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£2,200.00 - £4,000.00	£440.00 - £800.00	£250.00 - £850.00*	£2,890.00 - £5,650.00

### **Stage 3 – Financial Dispute Resolution Hearing**

If no settlement is reached, then the next stage is for there to be a Financial Dispute Resolution Hearing (FDR). During this stage it is likely questionnaires will need to be answered and there will be a thorough review of the finances. You may also need to obtain valuations for example on businesses, properties.

The purpose of the FDR is to try and reach a settlement. If parties get close to reaching a settlement, then they will go before the judge who will give his view on what would be ordered at the final hearing. This can help the parties reach an agreement. The total costs of getting to this stage are likely to be as follows:

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£4,000.00 - £7,000.00	£800.00 - £1,400.00	£840.00 - £1,440.00*	£5,640.00 - £9,840.00

\*You may also incur additional disbursements for example, surveyors' charges for property valuations, accountants' charges for business valuations, costs for obtaining pension and share valuations etc.

#### **Stage 4 – Final Hearing**

Most people will have reached an agreement prior to reaching this stage. If you have been unable to reach an agreement, then there will be a final hearing when the court will make a decision as to how the finances should be divided. You will be required to give evidence at the hearing and a barrister will need to be instructed to represent you. The total costs of getting to this stage are likely to be as follows:

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£5,200.00 - £15,000.00	£1,040.00 - £3,000.00	£840.00 - £6,000.00	£7,080.00 - £24,000.00

#### **Stage 5 – Enforcement/Varying Order**

If you need to vary a consent order because your circumstances have changed then an application will need to be made to the court. The likely costs are detailed below.

If you have reached an agreement regarding the finances either by consent or court order and your ex-spouse is not complying with the terms of the agreement, then you may need to enforce the order. The costs will vary depending on the most appropriate enforcement method, but you should budget for the following costs in enforcement:

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£400.00 - £5,000.00	£80.00 - £1,000.00	£0.00 - £2,000.00	£480.00 - £8,000.00

## **Children Matters**

### **Stage 1 – Correspondence**

Corresponding with Respondent to try and reach an agreement

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£200.00 - £600.00	£40.00 - £120.00	£0.00	£240.00 - £720.00

### **Stage 2 – Issue Court proceedings**

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£200.00 - £800.00	£40.00 - £160.00	£215.00 Court fee	£440.00 - £1,160.00

### **Stage 3 – Directions Hearing**

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£600.00 - £1,000.00	£120.00 - £200.00	£360.00 - £600.00 Barrister's fee	£1,080.00 - £1,800.00

### **Stage 3 – Further directions hearings**

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£600.00 - £1,500.00	£120.00 - £300.00	£360.00 - £2,000.00 E.g. Barrister's fees, drug test, alcohol testing, doctors reports	£1,080.00 - £3,800.00

### **Stage 4 – Contested hearing**

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£1,200.00 - £3,000.00	£240.00 - £600.00	£815.00 - £3,000.00 E.g. Barrister's fees, drug test, alcohol testing, doctor's reports	£2,255.00 - £6,600.00

### **Stage 5 – Enforcement of order**

This is only applicable where a party does not comply with a Court order

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£400.00 - £6,000.00	£80.00 - £1,200.00	£215.00 - £4,000.00 E.g. Court fees, barrister's fees	£695.00 - £11,200.00

### Varying a child arrangements order

This is only applicable where you need to change an order that you already have in place.

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£600.00 - £4,000.00	£120.00 - £800.00	£215.00 - £3,000.00 E.g. Court fees, barrister's fees	£935.00 - £7,800.00

### Pre-Nuptial and Post-Nuptial Agreements

This is a guide only, the cost will depend on the amount of assets/liabilities and financial disclosure which need to be considered, the required terms of the agreement, and how many amendments need to be made to the document once it has been considered by the other party

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£600.00 - £1,500.00	£120.00 - £300.00	(Possibly counsels fees if you require specialist advice - £800.00 - £2,000.00 plus VAT)	£720.00 - £1,800.00

### Cohabitation Agreements

This is a guide only, the cost will depend on the amount of assets/liabilities and financial disclosure which need to be considered, the required terms of the agreement, and how many amendments need to be made to the document once it has been considered by the other party

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£600.00 - £1,500.00	£120.00 - £300.00	£0.00	£720.00 - £1,800.00

**TOLATA- Cohabiting couples (unmarried)**

**Stage 1 – Negotiation**

**Agreement reached:**

If you wish to negotiate with your ex-partner to try and reach an agreement with regards to your share in the property, the likely costs will be in the region of:

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£600.00 - £1,000.00	£120.00 - £200.00	£0.00	£721.00 - £1,200.00

**No Agreement reached:**

If you cannot reach an agreement with your ex-partner via negotiations; you may choose to commence court proceedings for a judge to determine the extent of each party's share in the property and whether the property should be sold etc. If proceedings are issued, the likely costs will be in the region of:

<b>Our fees</b>	<b>VAT</b>	<b>Disbursements</b>	<b>Total</b>
£1,000.00 - £6,000.00	£200.00 - £1,200.00	£308.00 Court fee upon issuing £1,000.00 - £2,000.00 Junior to Mid-range barristers fees for each hearing listed- usually 3 (more experienced counsel will charge a higher rate)	£1,200.00 - £7,200.00 our fees  Total counsels fees based on 3 hearings £3,000.00 - £6,000.00