



An Article by Geoff Kew senior partner at Hewetts

Spring. A time to get things in order.

Spring is upon us and I am sure we are all looking forward to the flowers coming into bloom and some beautiful weather. Spring is also a time for getting your house in order. Now is a good opportunity to think carefully about those legal issues you have been putting off!

As lawyers, we see a considerable number of disputes and problems arising from a failure to make a modest investment in time and money now in order to avoid pitfalls later.

- Make a Will – Do not leave things to chance. Why allow your beneficiaries to pay more Inheritance Tax than they need?
- If you are in business with someone else – Make a Partnership Agreement, or if a Company, a Shareholders Agreement. This will, amongst other things, avoid expensive disputes over shareholdings.
- If you are a Landlord or Tenant, make sure you have the correct Tenancy Agreement or Lease. Do the new Deposit regulations apply to you?
- If you are an Employer- Are your employment contracts up to date? Have you copied them from another source that is perhaps inappropriate?

Elizabeth Bettes
Head of Family Law at Hewetts

THE COLLABORATIVE APPROACH TO RELATIONSHIP BREAKDOWNS

There is now a new approach to resolving issues between couples when their relationships end - the "collaborative" approach.

It is, unfortunately, a fact that a large number of relationships, either in respect of marriage or cohabitation, end. The collaborative process is designed to minimise the hurt, anguish, loss of self-esteem and alienation that occurs in these situations and to encourage and enable you and your children to look forward to a future of hope rather than anxiety.

Each party is required to be represented by a trained collaborative lawyer. All discussions and negotiations take place at meetings, known as four way meetings - where the parties and their collaborative lawyers are present. All four parties sign an agreement which disqualifies the lawyers from representing you in court if the collaborative process breaks down. This means that the collaborative lawyers are committed to helping you find the best solutions by agreement rather than conflict. You agree to work towards reaching an agreement through a problem-solving approach.

The advantages are that the parties keep control of the process and are actively involved. There is an atmosphere of respect. There are also face-to-face meetings in the presence of collaborative lawyers which makes negotiations direct and efficient. You still benefit from receiving independent legal advice but it is you that sets the agenda and the pace of the negotiation process.

If you would like further information regarding the collaborative process, please do not hesitate to contact me for a free interview.

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