

Helping our clients to achieve

Article: What about the children?

Date: 13th March 2008

by Hayley Eachus, solicitor specialising in family law

Direct line 01256 854633 email heachus@phillips-law.co.uk

‘Children are extremely resilient and can put up with most things - drunkenness, illness, even violence,’ says Hayley Eachus, family lawyer at Phillips Solicitors ‘but the one thing they find most difficult to cope with is their parents’ divorce.’

Some children go through their parents’ divorce with relatively few problems or permanent negative effects. However, for other children, the effects of divorce can be traumatic and long-lived. Changes in a child’s living arrangements, time with parents, education and lifestyle can trigger anger or fear; the child may feel extremely powerless and sometimes believe it’s all their fault.

Divorce or separation is a difficult time for all concerned, but there are steps you can take to make it easier on your children, who should of course always be considered first. Keep the lines of communication open, talk to your children before any changes are made to their living arrangements, remind them of your love and try to talk with both partners present and of course, try not to be critical of your partner. The last thing the child needs is to feel stuck in the middle or having to take sides.

Many relationships go through a bad patch but when a relationship or marriage irretrievably breaks down, one or both parties usually seek to dissolve the marriage or to obtain a formal decree of judicial separation. You will need professional advice to help you through these processes and you need to select a firm of solicitors who are members of the Family Law Association, Resolution.

Going to court is often the way couples divorce but there is another way that can avoid the sometimes lengthy, costly process and that’s mediation. This is a process that can allow matters to be resolved amicably because both of you are equally involved in the decision making. It allows both parents to meet with an independent person and each parent has a chance to set out their concerns and make the right decisions over their future lives. It is a

Helping our clients to achieve

voluntary process and you must both agree on solutions or there is no agreement. Another advantage is that when you have both made the agreement, you are more likely to have a good relationship, essential because you will have continuing responsibility for your children even after your relationship as a couple has broken down.

The court process is also geared towards mediation and also to what the children want and need. But from April the current process is changing and applications to the court may not be heard for at least 8 weeks. Within that time CAFCASS officers will visit both parents and also the children if they are of an age to articulate their wishes and feelings. When matters can be finalised they will be set out in a Court Order, by consent. But time and resources can make this a lengthy process.

'Whichever route you take when separating' adds Hayley, 'make sure you get a good solicitor and don't forget the emotional support for yourself so that you can help your children through the traumatic time.'

If you have worries about your relationship or your children, you can call Hayley on 01256 854633 or email Hayley at heachus@phillips-law.co.uk

Visit our website at www.phillips-law.co.uk

ENDS