

Family Arbitration

A faster, more flexible way to resolve family financial and property disputes

If you are struggling to come to terms with an acrimonious marriage breakdown, the prospect of going to court to reach a financial settlement will probably be daunting and depressing in equal measure.

Worse still, recent cuts in legal aid for family law cases and funding of the courts service have made the process much slower than before, effectively forcing you to put your life on hold for a year or more.

However, there is now another more cost-effective option for those who need to resolve disputes about money, property and other assets following the breakdown of a relationship or the death of a loved one.

Arbitration has been successfully used to resolve disputes in the commercial world for many years, but this speedy and totally private form of alternative dispute resolution is now available for many family law cases.

Rather than being at the mercy of an impersonal and very public court system, arbitration takes place behind closed doors and puts you in control from the outset. Along with the other party and their solicitor, you nominate an arbitrator who will adjudicate the dispute and make a binding award; you decide precisely which issues should be considered; and you agree a timetable with the arbitrator. Being actively involved in this way provides clients with a real sense of momentum, in contrast to court proceedings which can seem interminable and where you may often not see the same judge each time.

Arbitration is significantly quicker than going through the courts: clients have found that it has been possible to break the deadlock in a matter of weeks. This usually means it is significantly cheaper than pursuing court proceedings to a final hearing, even after paying the arbitrator's fee and your legal expenses.

It's also a flexible option. You can ask the arbitrator to reach a decision about a simple dispute based on the documents, rather than holding a hearing, further minimising the time and cost involved. And arbitration can be used with mediation to resolve just those issues which cannot be agreed during the mediation process.

Most importantly, you can be confident that the person deciding your case will be an experienced specialist in family law, such as a solicitor, barrister or retired judge, and will have passed a rigorous selection and training process. Their decisions must be in accordance with English family law and can be enforced by the courts if necessary. All arbitrators follow an ethical code laid down by the Chartered Institute of Arbitrators (CI Arb) which regulates the profession.

Contact **Anna Baptist** (who is an accredited family arbitrator) or any member of the Longmores Family Team to find out more about arbitration and whether it might benefit you.