

## Top tips to keep your legal costs to a minimum during your divorce or family law case

A report by the Legal Ombudsman for England and Wales released today showed complaints by clients in divorce and family law were higher than in any other category.

The Legal Ombudsman's role is to resolve disputes between lawyers and their clients.

Some 13% of clients were dissatisfied with their lawyers in divorce cases, almost double the level in other areas of the law. About a quarter of those complaints related to cost, and one in five people said they were not given a cost estimate at the outset.

This article provides some suggestions as to how clients can help their lawyers to minimise or reduce the amount of legal costs during what can be a very emotional and distressing time. Some of the ways to keep these to the minimum are as follows:-

- Choose the right solicitor for you - Solicitors and mediators vary greatly. Find the right person for you. Make sure you find out information about their charges and understand how their bills are calculated. Make sure the solicitor you choose has plenty of experience in family law.
- Choose a member of Resolution. Resolution, is an organisation of 6,500 family lawyers and other professionals in England and Wales, who believe in a constructive, non-confrontational approach to family law matters.
- Always remember that solicitors charge by the hour. Limit unnecessary telephone calls or letters because you will be charged for them.
- If you have questions at a meeting make a list. It is far better to be focused and ask questions at one time rather than piecemeal.
- Do some things yourself - You do not need to rely on your solicitor to do everything for you. There are some jobs that you could easily take on yourself. For example, finding out information about your financial position such as pensions and mortgage ability. When you and your solicitor decide on the next course of action in your case, think about whether there any appropriate steps you could take yourself, instead of the solicitor. This will keep costs down. The less work the solicitor has to do, the lower your legal bills.
- Emails can be a much more effective and efficient way of communicating with your solicitor. However they are not free and are charged for.
- Wherever possible try to reach an agreement. Be amicable and pragmatic but not adversarial. People that want to litigate "on principle" will spend a lot of money on legal costs.
- Consider using alternative methods of dispute resolution such as Mediation or Collaborative Law. The main benefit of using either process is the reduction of solicitors' correspondence as most things are done verbally around the table. As well as reducing legal costs, it also reduces the heartache and antagonism which go hand in hand with marriage breakdown.

- Respond to requests by your solicitor for information quickly. If the solicitor has to chase for the information you will be charged for that. If you want no action to be taken then tell your solicitor.
- Work with your solicitor and be open with him or her. Say what you would like and work in partnership.
- Court procedures are a last resort. They are the route to spending a lot of money. Look for less expensive alternatives which may be more suitable for you such as Mediation or Collaborative Law. However do not be afraid of changing plans should an initial course of action not be working.
- Agree fees and action taken with your solicitor. If you do not pay your solicitors charges he or she will not act for you.
- Remember that even if your solicitor gives you advice it may not be what you are looking to hear. The solicitor advises but it is the client that makes decisions. Always bear in mind the cost involved both emotionally and financially of any action that you decide to take with or without your solicitors advice.
- Get the right support - Don't rely on your solicitor for emotional support. This is not their job and spending time with your solicitor talking through your feelings about the divorce, will cost a great deal of money. Work with a Counsellor and/or divorce coach. A Counsellor can help you process your feelings about your situation which will help you to feel emotionally stronger to deal with the divorce. Divorce coaches can provide practical help, support and suggestions on how to ensure you communicate productively with your solicitor.
- Don't forget to obtain a final Consent Order that is stamped by the court after the divorce to avoid your partner coming back for more. Until you do this, your partner can argue there has never been a final settlement.

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