

At the time of a marriage or relationship breakup, people often experience sadness, anger and poor communication.

Separating couples are asked to make complex decisions about life direction, money and children. They must make these decisions at a time when they are often least competent to do so. The emotions that occur following a separation can be intense and can cloud judgment. Unless separating couples are aware of this they can often make bad decisions, which they later regret.

Separating couples tend to say things like: "I want justice"; "I only want what is fair"; "I'll see you in court"; "It is a matter of principle"; "He or she has gone crazy"; "It is his/her lawyer that is the problem"; "I've given him/her the best years of my life"; "I only want what is best for the children"; "I would rather give you (the lawyer) my money than my spouse" etc. Separating couples are often into "blame" – they blame themselves, their spouse, members of their spouse's family, the court, the legal system, politicians, the lawyers involved, for their predicament. Do these well worn phrases help? Does engaging in the "blame game" help? Rarely.

Separating couples rarely have had any litigation experience. Their view of the court system is often shaped by unrealistic images seen on television or at the movies. This perception can be problematic for the client with unrealistic expectations of the legal system and what that system can offer them in solving their disputes.

Most separating couples will settle their disputes without the need to bring proceedings in a court or if court proceedings are instituted, without the need to go to trial. Only 5% of litigants who file in court ever go to trial. Your dispute is more likely to settle than not. The time it takes to settle and the cost to you is however uncertain. It will ultimately depend upon you and your spouse/partner. There are many options available to separating couples to resolve their disputes without engaging in litigation.

The financial costs of separating can be significant. These costs can be directly related to the actions of you or your spouse/partner. In our experience significant costs can be incurred as a consequence of a separating couple using their lawyer and the court to "right" perceived wrongs. Whilst we give our client the best estimates that we can on legal costs, they are estimates only. Legal costs are the responsibility of the client, not this firm.

We do not carry our client's legal costs to settlement. We are however prepared to advise our client on the options available to them to pay their legal costs. Please also discuss with us ways that you can limit your legal costs in your dealings with us.

At HopgoodGanim we advise all of our clients to seek professional advice to assist them to make wise decisions and to better help us help them. You should not be offended if we suggest that you seek other professional help. We are not psychologists, psychiatrists, marriage counsellors or family therapists. We may suggest that you seek advice from these trained professionals in the interests of your case and to assist you to make wise decisions in your interests.

At HopgoodGanim we offer the following.

- A firm with an outstanding national reputation which is referred work from experienced family lawyers and from the courts around Australia.
- A firm that is respected by the courts.
- A team of 16 lawyers who specialise in resolving family law conflicts.
- Lawyers with different specialities within the ever-changing field of family law (taxation, de facto couples, pre-nuptial agreements and cohabitation agreements, relocation of children, property, child support, superannuation, conflict resolution etc).
- 3 senior supervising with extensive experience.
- Continual in-house education to keep up to date on the complexity of changing legislation and case-law in family disputes.

Information for Separating Couples



HopgoodGanim

LAWYERS

- Pride in not treating clients on a conveyor belt. Each conflict and client needs different diagnosis as to the causes of their conflict and the most appropriate response for them. With the clients help, we try to match problem and response.
- A team of additional support lawyers who can advise quickly on business, financing and taxation implications of family property division and restructure if this is necessary.

As a firm we believe that our skill level and experience are second to none and that you should have every reason to have confidence in us. We do not however ask you to take our word on this. We encourage our clients to make enquiries about the professional competence of a proposed legal adviser before they engage that adviser. You can do this by contacting the Queensland Law Society or by making enquiries with other lawyers and professionals.

If after having retained us you wish to obtain a second opinion before providing us with instructions on a particular course of action then we have no difficulty in you doing so. We would not be offended or regard you as being disloyal in seeking a second opinion. The law within which we practice is an inexact science. Important decisions can only be made after having considered a range of options and the advantages and disadvantages of each option which we provide to our clients. If after having received our advice you wish to obtain another opinion then that is a matter for you.