

**divorce**law

## Finance and Property: When an agreement can't be reached



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If agreement cannot be reached between the divorcing partners directly or via mediation, then court action can be started by either.

The process involves both partners submitting a great deal of information about their financial position and supporting documentary evidence.

The court process can be quite difficult and lengthy and can involve completing various documents with the court and each party exchanging the documents with each other. Sometimes, three or more court hearings can be involved if no agreement is reached during the course of the court proceedings.

If your case needs a final contested hearing, because no agreement could be reached, then a Judge will listen to the arguments and may need to hear evidence from the couple. The Judge will make a decision based on what they consider to be reasonable and fair.

Involving solicitors clearly has its advantages, most of all that your solicitor will work towards achieving the very best outcome for you based on their knowledge and persuasion skills. The process involves a lot of work including the preparation of documentation, dealing with correspondence and attending court hearings.

Being represented by solicitors can be expensive. You need to make sure that you are not spending money in order to achieve very little. In other words, if the difference between what you want and what your partner is prepared to offer is small, then it may be difficult to justify spending a great amount of money on legal fees.

But once again, you need to be careful and please do not forget about your [Financial and Property Agreement Checklist](#).

This article was written by Jeff Garland, a specialist solicitor in Divorce and Child Law. If you have any questions or need more help, please don't hesitate to give Jeff a call or drop him an e-mail using the details below.

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