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**The information on these pages is only provided for general guidance. If you do have a legal problem you must ensure that you obtain individual independent legal advice to protect your interests and rights**

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## ***Finances***

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ALL of them - including

- the family home
- holiday homes or timeshares
- bank and building society accounts
- insurance policies
- stocks and shares, TESSAS, PEPS, etc.
- pension rights
- household contents etc.
- the goodwill in a business
- collections of antiques etc.

### ***What orders can a court make in divorce proceedings?***

The most common orders are:

- a periodical payment (maintenance) order
- a lump sum order
- a transfer of property order
- a pension-splitting order
- an order for sale of property, either now or in the future

### ***What will the court be aiming to do?***

The Court has a duty to have regard to 'all the circumstances of the case' BUT it must give first consideration to the welfare of any minor children of the family. The Court will also try to achieve a final settlement - a 'clean break' - so that the husband and wife can go their separate ways and rebuild their lives.

### ***What factors will the court take into account?***

The law says that the Court should have regard to :

- the income, earning capacity and other resources which each party has OR is likely to have in the foreseeable future
- the needs, obligations and responsibilities of each party
- the standard of living the family enjoyed during the marriage
- the age of each party and the length of the marriage
- any physical or mental disability of either party
- the contributions which the parties have made (or will make) to the welfare of the family
- the conduct of each of the parties BUT only if that conduct is such that it would be unfair to ignore it
- the value of any benefit which will be lost because of the Divorce (e.g. loss of spouse's pension rights)

### ***What sort of order is the court likely to make?***

That depends entirely on the circumstances of your particular family - because every family is different. You would be well advised to consult a Solicitor who will be able to use his or her experience to advise you about what type of settlement would be most suitable for YOUR particular circumstances. It will be very helpful for your Solicitor if you take with you as many documents as you can giving details of you and your spouse's assets.

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Last updated 7<sup>th</sup> October 2008***