

## **DIVORCE – From 1<sup>st</sup> July 2017**

We know that divorce can be a stressful time, both emotionally and financially. Haywards have designed a fixed price service to give you certainty about the cost you will pay for a divorce.

Where a marriage has broken down, and both parties agree, we offer the following fixed price services:

Petitioner's Costs (the person applying for the divorce)	£600.00
VAT	£120.00
Court Fees * (As of 1 <sup>st</sup> July 2017)	£550.00
<u>Total Cost</u>	<u>£1270.00</u>

\* If you are unemployed or on a low income you may be exempt from the court fee or may be able to claim a reduction.

What fixed price divorce includes:

- From taking initial instructions to the final conclusion of decree absolute.
- An initial interview of up to an hour.
- Preparing all of the documentation.
- Corresponding with the court.
- Corresponding with the other party or their solicitor.

What fixed price divorce does not include:

- Defended divorce.
- Where the other party cannot be found or located.
- Where either party is a non-resident of the UK.
- Disputes relating to children, domestic violence, financial matters.
- Attendance at court.
- Amending the papers after they have been issued to the court.
- Representing you in disputes about costs or enforcing costs orders.
- If you are the respondent, making an application to a Judge for decree absolute.

Additional costs that you may have to pay:

- If you do not have a certified marriage certificate and a duplicate needs to be applied for.
- If the other party does not cooperate in returning the acknowledgement of service of the divorce petition and it is necessary to either instruct a bailiff to personally serve them with the documents or to apply to the court for an order that the divorce papers are deemed to have been served.
- If the government increases the court fees payable or the rate of VAT which we are required to charge on our services.

Fixed fees are payable at the first appointment. Where additional services are required outside our fixed fee scheme, we are happy to provide these at our usual hourly rate. We will provide you with an estimate of the costs of providing these additional services so that you are aware of how much these will be.

## **MATRIMONIAL FINANCES:-**

Given the expertise within our Family Department we are able to offer a range of services to Clients to meet their particular needs including, but not limited to the following, in circumstances where an agreement has been reached between the parties:-

The Drafting and Advising upon the content of the following Agreements:-

A Cohabitation Agreement £750.00 plus VAT.

A Separation Agreement £750.00 plus VAT.

A Prenuptial Agreement £750.00 plus VAT.

The Drafting and obtaining a Consent Order based on an agreed terms of financial settlement £650.00 plus VAT and Court fees.

## **FINANCIAL PROCEEDINGS (frequently referred to as Ancillary Relief Proceedings)**

In circumstances where the parties have been unable to reach an agreement concerning their finances and an Application to the Court is required to obtain a Financial Order, our team of Family Lawyers offer the following Fixed Fee structure:-

### **(i) STAGE 1**

Up to and including representation at the First Directions Appointment (FDA) - £2,500.00 plus VAT and Court fees. (If both parties agree the FDA is to be used as a Financial Dispute Resolution Hearing (FDR) the fee is to be increased by £500.00 plus VAT.

### **(ii) STAGE 2**

From the FDA hearing up to and including representation at the FDR hearing - £1,750.00 plus VAT.

### **(iii) STAGE 3**

From the FDR hearing up to but excluding representation at a Final Hearing - £1,750.00 plus VAT.

### **(iv) STAGE 4**

The provision of representation at a Final Hearing - £1,000.00 plus VAT per day. If Counsel is required fees are to be negotiated.

Our Family Lawyers fully appreciate that every case is unique as are our Client's individual needs. With this in mind we are able to offer individual fixed fee representation at Court and individual fixed fee drafting services. These fees can be discussed at the **INITIAL CONSULTATION**.

## CHILDREN ACT APPLICATIONS

We know that going to court about your children can be very stressful, both emotionally and financially. Haywards has designed a new fixed price service to give you as much certainty as possible about the costs you will pay. Where you need to make an application or to attend a court hearing relating to children, we can offer you the following fixed price services:-

Applicant (the person applying to the court)	£1,600.00 + VAT
Court Fees *	£215.00
<b><u>Total Cost</u></b>	<b><u>£2,135.00</u></b>

\* If you are on a low income you may be exempt from the court fee.

Respondent (the person receiving the court papers)  
Includes VAT at 20%

<b><u>Total Cost</u></b>	<b><u>£960.00</u></b>
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### What the fixed price includes:

- From taking initial instructions up to and including the first court hearing (the first hearing dispute resolution appointment) for up to half a day.
- An initial interview of up to an hour to collate the information needed in order to make the application.
- Advising you of the documentation and information we need.
- Preparing all the documentation.
- Preparing bundles for use at the court hearing, and case summaries.
- Corresponding with the court.
- Serving the application by post on the other party or their solicitor.
- Representing you at the first hearing dispute resolution appointment.
- Confirming the outcome to you and sending you any court orders.

### What the fixed price does not include:

- Emergency applications without notice.
- Where the other party cannot be found or located.
- Where either party is a non-resident of the UK.
- Where allegations are made of abuse or that the children are at risk of serious harm.
- Obtaining evidence from the police or social services, or other witness evidence.
- Testing for drug, alcohol abuse, or paternity testing.
- Obtaining medical or other expert evidence.
- Any correspondence or negotiations after the first court hearing.
- Representation at any subsequent or adjourned court hearings.
- Completing or checking an application for fee exemption for court fees.
- Cases where there have been previous court proceedings which involve us considering those documents.
- Supplemental applications such as applications to locate the whereabouts of a child.
- Instructing an enquiry agent to serve papers personally.
- Further applications issued before the first hearing dispute resolution appointment.

We will be able to assist you in dealing with these matters for an additional charge.

**Additional costs that you may have to pay for:**

- Any sums payable in respect of expenses not specifically included in the fixed fee, such as travel and car parking expenses, and blood, drug or alcohol testing.
- Attending subsequent review hearings. We will normally be able to agree a fixed fee with you in advance for attending each hearing.
- Preparing statements of evidence, or other work carried out for you between hearings. We will give you an estimate of the likely cost before carrying out the work for you.
- Representing you at a final or contested hearing at which evidence is to be called. We will give you an estimate of the likely cost for preparing for the hearing and representing you in court.
- If the Government increases the Court fees payable or the rate of VAT which we are required to charge on our services.

**Fixed fees are payable in advance. Where additional services are required outside our fixed fee scheme, we are happy to provide these at our usual professional hourly rate. We will provide you with an estimate of the costs of providing these additional services so that you are aware of how much these will be.**

**ON ALL FIXED FEE PACKAGES IT IS IMPORTANT TO NOTE:**

1. For all of our Fixed fee payment plans VAT is payable in addition to the stated costs unless it specifically says that it is included.
2. In respect of Matrimonial Finance and Financial Proceedings fixed fees are available for those cases where the total assets do not exceed £750,000 and where all assets are located in the UK.
3. If an unexpected complication arises within the proceedings due to a lack of instructions or new information being provided we reserve the right to charge for this work based on the hourly rate of the individual fee earner for which an estimate will be provided.
4. If at any time we are required to instruct an Expert, these fees will be charged in addition to the fees stated above and payment of these fees will be required from you in advance of instructing the Expert. Most experts are instructed on a joint basis and therefore, usually, you will only be required to meet 50% of the Expert's agreed fee.
5. In respect of Financial and Children Court Proceedings, payment can be made in instalments provided that the cost of each stage is paid in full before assistance is provided for the next stage of the proceedings. If the full payment of each stage is made in advance, at the first meeting, a discount of 10% will be applied. For all other Fixed Fee work we are willing to accept payment by instalments and the instalment plan will be discussed and agreed at the first meeting.
6. The Court fees vary from time to time. You will be provided with details of the Current Court fees at the time you instruct us.
7. It is not possible for us to advise all Clients on a fixed fee basis. Some cases are not suitable, however, we may be able to offer either advice or representation at Court for elements of each case and this can be discussed at the INITIAL CONSULTATION.