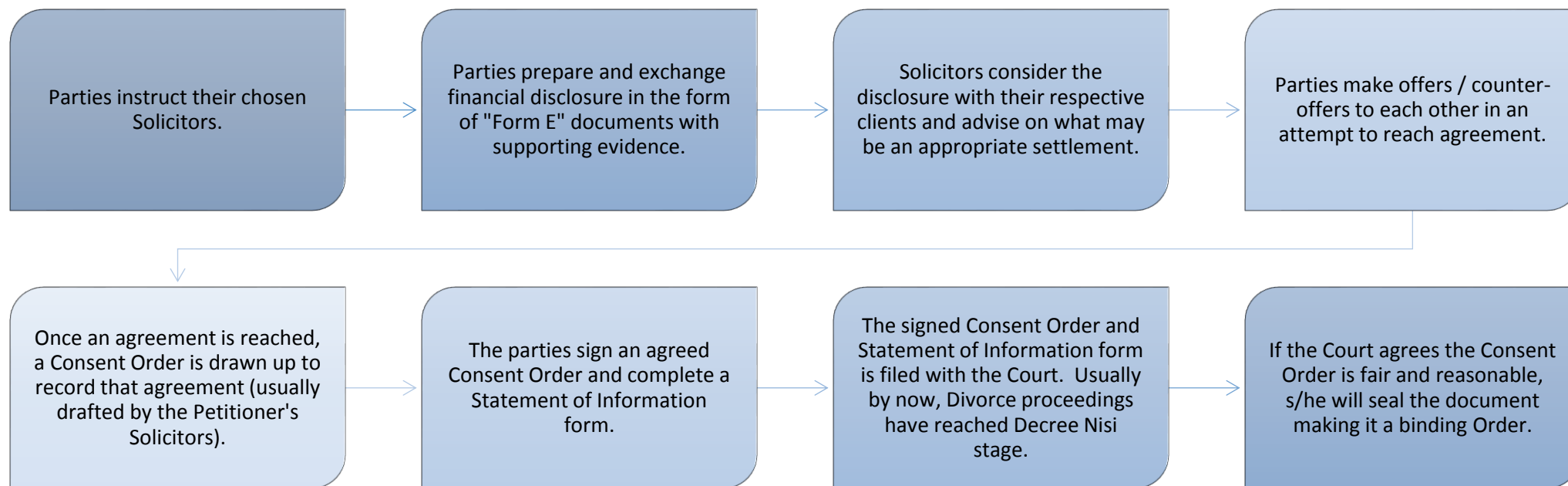


Reaching a financial agreement without Court proceedings (Solicitor aided negotiation).

Parties may opt for aided or unaided negotiation. Below is a description of how negotiating finances with the aid of Solicitors typically happens.

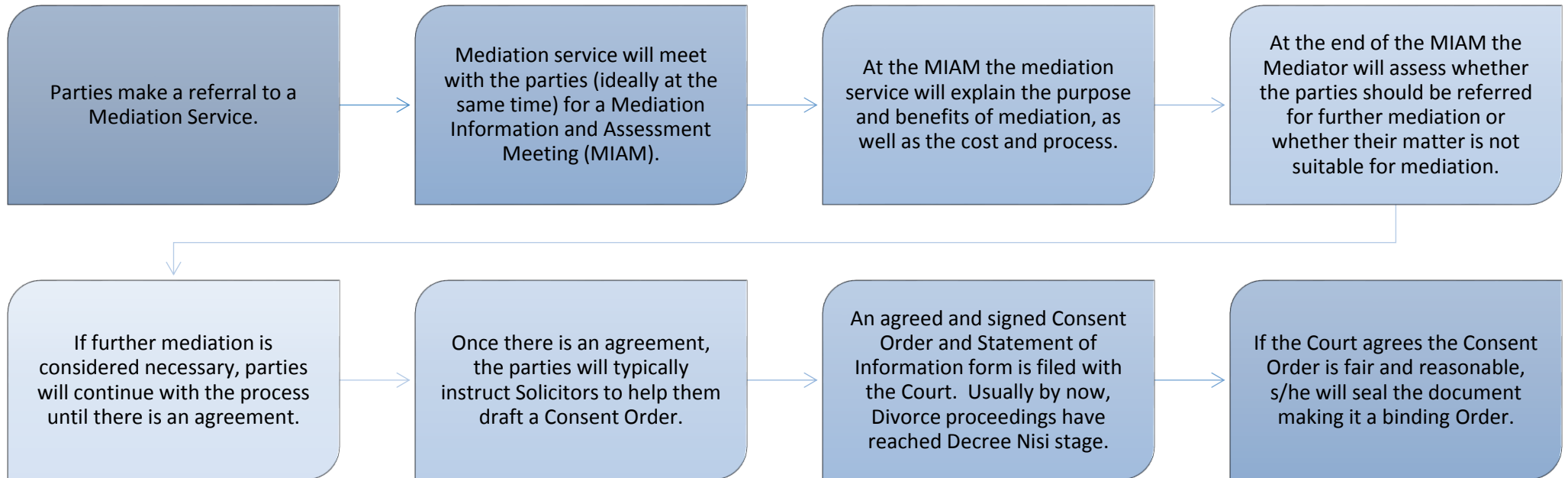


If the parties are unable to reach an agreement during this process, it is usual for them to be referred to Mediation. If an agreement is still not reached after Mediation, either party may make an application to the Court for a Judge to determine how finances should be resolved on Divorce.

Some parties may agree a financial settlement between themselves and without the aid of Solicitors or Mediators. In these circumstances, K J Smith Solicitors are unable to advise as to the reasonableness of any agreement reached and clients will be asked to sign a Disclaimer to this effect if we are instructed to prepare a Consent Order recording the agreement.

Reaching a financial agreement without Court proceedings (Mediation)

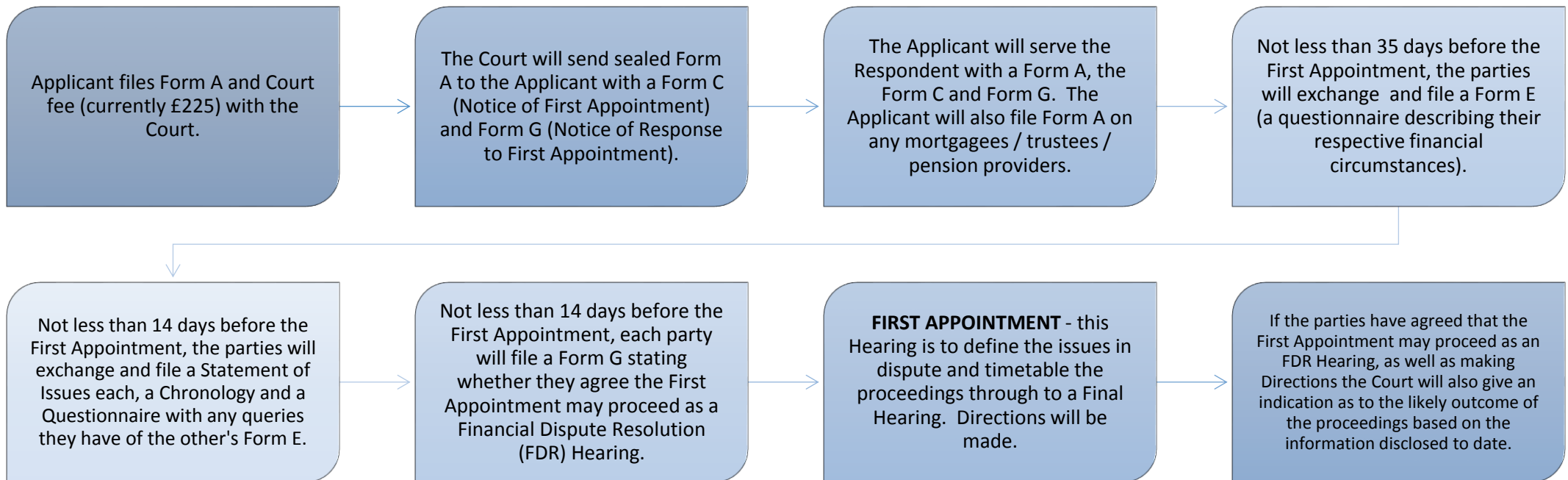
Parties may opt for aided or unaided negotiation. Below is a description of how negotiating finances with the aid of Mediators typically happens.



If the parties are unable to reach an agreement during this process, or if the Mediator determines that mediation is not suitable after the MIAM, then either party may make an application to the Court for a Judge to determine how finances should be resolved on Divorce.

### Applying to the Court for a Financial Order on Divorce (to FDR)

Where parties are unable to reach an agreement regarding finances after the breakdown of their marriage, they may apply to the Court. **Before** Court proceedings can be issued, the parties must attend a Mediation Information and Assessment Meeting (MIAM). If mediation is deemed unsuitable, then either party may make an application to the Court by filing a FORM A.



If the First Appointment did not proceed as an FDR, an FDR will be listed as part of the timetabling Directions. Many cases conclude at or shortly after the FDR stage of the proceedings. This is because the Judge will have given an educated opinion as to the likely outcome of the proceedings using the information before him/her at the time of the FDR. Where there is an agreement at this stage, the parties will prepare and sign a Consent Order detailing the agreement.

Applying to the Court for a Financial Order on Divorce (FDR to Final Hearing)

