



MKB Solicitors LLP

FIXED FEE DIVORCE AND FAMILY LAW SERVICES



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Please feel free to telephone the office and request to speak to a member of the family team



If your relationship has broken down and you are unable to agree how to resolve matters with your former partner whether married, cohabiting or civil partnership, MKB Solicitors LLP can arrange a package of support and advice for your needs and offer you a range of fixed fee packages to enable you to bring matters to a conclusion.

We know that this can be an extremely emotional and stressful time and it can be difficult to make the right decision for you and your family. We will help you through this time by explaining the process clearly and ensure that you are aware of your rights and obligations at all times so that you can make an informed decision at all times.

To ensure that you are engaging the most appropriate legal advice and representation we ensure:-

1. Our mediators are experienced family law solicitors, therefore they have an inbuilt, in-depth knowledge of family law. Non legally qualified mediators are entitled to call themselves mediators and are entitled to mediate in family matters but they will not have the specialised in-depth knowledge that a family lawyer will have of family law and the Court process. At MKB Solicitors LLP we have two specialist family law solicitors who are qualified mediators. **Please see our website mediation page for details of our mediation services and collaborative law services.**
2. To ensure that you are obtaining the best specialist advice possible our solicitors are members of Resolution and the appropriate Law Society specialist panels and are assessed by the Law Society as having a significant degree of experience and expertise in specific areas of family law. The Law Society Family Law Panels are:-
 - a. Children Panel Member
 - b. Family Law Panel Member
 - c. Advanced Family Law Panel Member
 - d. Resolution Accredited Specialists
3. We ensure that your family lawyer is specialised in the area of family law that you need advice in. We have specialist solicitors in separation and financial matters, cohabitation matters, children and mediation. One family lawyer may cover all areas of family law but as family law is probably the widest area of law in this country, you need a specialist in the particular area that you have problems in. At MKB Solicitors LLP two solicitors may work for the same client if, for example, you have children matters to resolve and then financial issues. This means that you receive specialist advice from the start, very often limiting the need to instruct a Barrister and thereby ensuring significant cost savings.



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At MKB Solicitors LLP we only employ qualified family solicitors, we do not employ clerks or paralegals to supply family law advice. You can always be reassured therefore that you are receiving expert advice.

FIXED FEE SERVICES

MKB Solicitors LLP offer a range of fixed fee services. If these do not meet your requirements, we can arrange a package to meet your requirements.

DIY Basic Divorce Package - £95.00 + VAT of £19.00 (£114.00)

For a fixed fee of £95.00, we can supply a step by step guide on how to issue divorce proceedings, it will include the necessary Court documentation that you will need to complete as well as advice on the Court fees that you will need to pay or whether you qualify, for exemption from fees.

Initial Advice Consultation - £95.00 + VAT of £19.00 (£114.00)

Included

- Appointment with the lawyer most suited to your case
- Up to 1 hour meeting with a family solicitor
- Attendance note from the meeting confirming instructions, advice and options available
- Advice on future costs/the way forward

Payment will be required at or before the meeting in cash or debit/credit card. If you wish to pay by cheque before the meeting we shall need cleared funds before the meeting takes place. You will need to bring with you two forms of identification, any appropriate documentation, for example, Court applications you have been served with, previous orders that have been made, a list of assets and liabilities if financial issues are relevant.



Undefended Divorce (as Petitioner)

Cost: £349.00 plus VAT of £69.80 plus Court fee of £410.00 = total £828.80

Included

- Appointment with the lawyer most suited to your case
- 1 hour meeting with a family solicitor
- Preparation of all divorce documentation
- Attendance note from the meeting confirming instructions, advice and options available
- Updates by letter/email
- Obtaining decree nisi and decree absolute

We will need to receive from you in advance of the meeting £99.00 plus VAT of £19.00 = total £114.00 and then if you wish to proceed before we carry out any further work, the Court Fee of £410.00 and £300.00 costs. The balance will be requested from you before we apply for Decree Nisi.

Undefended Divorce (as Respondent)

Cost: £150.00 plus VAT of £30.00 = Total £180.00

We will check the divorce paperwork with you and advise you on the process and any claim for costs that is being claimed by the Petitioner.

Included

- Appointment with the lawyer most suited to your case
- Initial instructions and advice up to one hour
- Completing the acknowledgement of service and filing it at Court
- Keeping you informed as to the progress of the divorce

Defended Divorce

Cost: £1500.00 plus VAT plus Court fees

If the other party does not agree that you should become divorced and defends it, the cost for dealing with a 1 day hearing and preparing all necessary Court documentation in readiness for that and thereafter obtaining decree absolute is -



The main benefit of instructing a solicitor rather than dealing with a divorce yourself is that it ensures your claims for financial relief are not affected by, for example, applying for decree nisi/absolute at the wrong time or by taking other steps that may adversely affect your claims for financial relief.

Change of Name Deed

Cost: £65.00 plus VAT £13.00 = total £78.00

If you are over 18 and wish to change any or all of your names, we can prepare an appropriate deed - £78.00 costs will be required at the initial appointment.

If you wish to change a child's name in any way, the procedure is far more complicated, you need the consent of all people who have parental responsibility or you will need an order from Court permitting a change. We are happy to discuss your options and fixed fee pricing.

Parental Responsibility Agreement

Cost: £125.00 plus VAT £25.00 = Total £150.00

All mothers have parental responsibility for their children, a father only does so if he is registered on the birth certificate as the father (post December 2003) or if the parents were married. If you wish the father or any other person to acquire parental responsibility, we can prepare a parental responsibility agreement for you, the cost of doing so and registering the agreement is.

The costs of £150.00 will be required at the initial appointment.

Parental Responsibility Application to Barnsley Court

Cost: £300.00 plus VAT £60.00 and Court fee of £215.00 = Total £575.00

If the mother does not agree that you should acquire parental responsibility and an application to Court is necessary, we will deal with the same on your behalf,

Included

- Appointment with the lawyer most suited to your case
- Initial instructions and advice up to 1 hour
- Completing the application and lodging the same at Court
- Attending 1 Court hearing



- Confirming instructions/advice updates by email/letter

If the matter is to be contested and to be listed for further hearing, then the total cost will be £750.00 plus VAT £150.00 plus Court fee of £215.00 = total £1115.00 which will include the preparation of statements and Court documents.

Living Together Agreement – see below

Living together is now a more common arrangement than marriage, but legal rights and responsibilities are significantly different to those acquired on marriage. Just living with someone does not give you any entitlement to share in any of their assets automatically or make the other person responsible financially for you in any way. A living together agreement will clarify rights, responsibilities and your legal entitlement should, for example, you purchase a property whilst living together.

Included

- Appointment with the lawyer most suited to your case
- Initial instruction and advice meeting up to 1 hour, ascertaining assets to be included and how they are to be owned in the event of separation.
- Preparing the agreement.
- Liaising with your partner.
- Witnessing signature to the same.
- Providing sealed and bound copies.

Cost:-

We can agree a fixed price with you depending on the amount of assets and complexity of the case. This will be discussed at the first meeting.

Pre Nuptial Agreement/Pre Civil Partnership Agreements (Agreed)

Please note that as yet these type of agreements are not binding in law but the case law is increasingly saying that it is a document that the Courts should give attention to, however it does not, as yet, make a Judge enforce your agreement. It is however a helpful tool in establishing what is pre matrimonial property or matrimonial property i.e. acquired during a marriage and therefore how it is fair to divide that property up should separation occur.

Included

- Appointment arranged with lawyer most suited to your case



- Initial instructions and advice up to 1 hour
- Negotiating with the other party
- Agreeing a schedule of assets to be included in the agreement and what happens to assets thereafter acquired
- Preparing the agreement
- Liaising with your partner to be/their lawyer
- Witnessing signature
- Providing sealed and bound copies of agreement

Cost – We can agree a fixed price with you depending on the amount of assets and complexity of the case. This will be discussed at the first meeting.

Separation Agreements (Agreed)

Cost: £420.00 plus VAT of £84.00 = Total £504.00

If unfortunately your relationship breaks down whether that is marriage, living together or civil partnership, the most cost effective way of dividing up your assets is by agreement. If you have reached an agreement/settlement but want to then have that embodied in a separation deed then we can prepare that document for you. Separation deeds are usually upheld by the Court as both sides take their own independent legal advice and/or are advised to do so but choose not to do so. It is therefore a very useful mechanism of limiting costs and reaching early settlement.

Included

- Appointment arranged with the lawyer most suited to your case
- Initial instructions and advice up to 1 hour
- Agreeing terms of separation deed
- Drafting separation deed
- Witnessing signature, providing sealed and bound copies of separation deed



Financial Settlements After Divorce (Agreed)

Cost: £420.00 plus VAT £84.00 plus Court fee £45.00 = Total £549.00

If you and your spouse/civil partner have already reached an agreement in circumstances where your marriage or partnership is being brought to an end and you want us to turn your agreement into a Court order so that it is final and to ensure no further claims can be brought then we can do this.

Included:

- Appointment arranged with the lawyer most suited to your case
- Preparation of Court documentation
- Dealing with the other party in agreeing the Court documentation
- Lodging the documentation with the Court

Financial Remedy Proceedings

Cost: £1750.00 plus VAT £350.00 plus Court fee £255.00 = Total £2355.00

This is the name of the proceedings for the Court resolving financial disputes between divorcing couples/separating civil partners. If you are unable to reach agreement, even with the involvement of mediators/solicitors as to what should happen to your assets then Court proceedings will need to be commenced. Proceedings are very expensive and if at all possible parties should negotiate a settlement, however, if the other side refuses to offer to you what you consider, or we advise, to be a reasonable settlement then we shall advise you to commence proceedings for ancillary relief so that the Judge can order how assets and money (or debts) are divided and how maintenance should be paid.

This fixed fee does not apply to cases where either party is self employed or the assets exceed £500,000.00. It also does not include the fees of any experts who may be required to provide a report or valuation.

Included

- Appointment arranged with lawyer most suited to your case
- Initial instructions and advice
- Establishing with yourself and the other side assets to be taken into consideration by the Court
- Preparation of all Court documentation including Form E, Questionnaires, Schedule of Costs, Replies to Questionnaires



- Attending the First Appointment and Financial Dispute Resolution Hearing but not including Final Hearing

The cost of a final hearing is not included in the above figures, normally we would instruct a Barrister to represent you at a final hearing and those fees will be negotiated with the Barrister directly on your behalf. Payment will be required 25% of the total cost at the initial instructions and advice meeting, a further 15% in advance of the First Appointment and the balance of 60% in advance of the Financial Dispute Resolution Hearing.

TOLATA Proceedings

If you are not married an application under the Trusts of Land and Appointment of Trustees Act 1996 may be required. These are civil not family law proceedings, fixed costs can be agreed. We are happy to fix costs as outlined above for ancillary relief proceedings but this depends upon the complexity of the case and the need to involve specialist legal Counsel.

Applications for residence/contact for children

Cost: From £500.00 plus VAT £100.00 plus Court fees £215.00 = Total £815.00

If you are unable to agree with the other parent the arrangements for your children post separation an application to Court may be required to resolve the issues if mediation/negotiation proves ineffective.

We have the necessary expertise to advise you on the merits of any application for residence/contact, there may be other issues in relation to your children that need to be dealt with, for example, if one parent wants to change their surname, if one parent wants to bring them up in a specific religion, if one parent wishes to live abroad. We can deal with all such applications on your behalf.

Quite often an officer from the Children and Family Court Advisory and Support Service (CAFCASS) is involved to prepare a report and assist the Judge in reaching a decision.

An application for a residence or contact order which necessitates the preparation of a report, will involve at least two hearings before a Judge, if matters are then not resolved statements will have to be prepared and representation at a contested hearing.

If the matter proceeds to a CAFCASS report being prepared and a further Court hearing costs will be **£1500.00 plus VAT plus Court fees.**



If the matter proceeds to a contested hearing costs will be **£3,000.00 plus VAT plus Court fees.**

Included

- Appointment arranged with lawyer most suited to your case
- Initial instructions and advice
- Preparing Court applications and filing same
- Arranging service of Court application and notice of hearing on the other side
- Representation at initial hearing and one hearing thereafter
- Advice on CAFCASS report
- Advice on further procedure

What is not included is any further hearing after the second hearing, preparing statements for a contested hearing and any Counsel's fees. A fixed fee will be agreed for those matters once we are able to establish the complexity of the case following receipt of the CAFCASS report.

Domestic Violence/Injunction Proceedings

Cost: From £750.00 plus VAT £150.00 and disbursements

Legal Aid may be available for some of these proceedings, this depends upon the seriousness of the allegations and your own financial position.

We are happy to assess whether you are eligible for Legal Aid and if not provide a cost estimate for representation on an application for an injunction. As a rough guide a first application for an injunction, preparing all the necessary Court documentation, attending the hearing and obtaining the injunction and serving the same upon the other side and the police.

Cost:-

£750.00 plus VAT £150.00 = £900.00 plus Court fees (£75.00 application for a non-molestation order and £75.00 for an occupation order) if you are not eligible for Legal Aid. There will also be a cost for having the application and injunction order served on the other party. This is usually around £200.00 plus VAT.



Public Law

If you are involved with Social Services or receive letters from the Legal Department of the Local Authority in respect of your children, these are public law proceedings, i.e. proceedings brought by the public body, the Local Authority. If the Local Authority issue an application for a care or supervision order and you have parental responsibility for the child you are automatically entitled to free non means tested Legal Aid. These are highly specialised and complex proceedings, you should ensure that the solicitor you engage to represent you in respect of your children is a member of the Law Society Children Panel. If you do not have parental responsibility, for example if you are a grandparent caring for a child or non biological carer/relative, Legal Aid may still be available and we are happy to discuss this with you or provide a cost estimate/fixed fee quotation.

Financial Applications for Children

Where parents are unmarried and have children then it may be possible for the parent with the care of the children to be able to apply to the Court for the other parent to provide a lump sum or settle or transfer property to the parent with care for the benefit of any such children. These type of orders however only last until the children have attained the age of 18 or completed their full time education and at that point any such property is returned to the other parent. These applications whilst being possible have been under used and are only realistic where the person against whom the application is being brought has substantial funds or property. This type of application is often brought in conjunction with an application under the Trusts of Land and Appointment of Trustees Act 1996. Again we are happy to agree fixed costs which will depend upon the amount of the assets and complexity of the case.

THE OTHER SIDES COSTS

NB: The costs we have indicated above are for your own costs only. If you, for any reason, are ordered to pay the costs of the other party these are in addition to the costs you pay us and are likely to be significantly higher. In civil proceedings the Court will order the losing party to pay the other sides costs, in family proceedings costs orders are made less frequently than in civil proceedings and will certainly be ordered if you are adjudged to have conducted the proceedings unreasonably in any way, for example not complying with time limits for filing documentation and not disclosing in full your assets.



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PAY AS YOU GO

We are conscious that legal costs are significant, should you simply not be able to afford to engage a solicitor to represent you from the outset, we are happy to provide a Pay As You Go service. If you need initial advice but then can thereafter complete forms yourself, we are able to provide initial advice. If you receive documentation from another party and need advice regarding that, we are happy to provide advice. If you need advice how to complete documentation at any stage in the process that you are engaged in, whether it be for separation, divorce, ancillary relief, etc, we are happy to advise. What we will not do is write directly to the Court for you or to the other side.

Fees for this service can be paid on an as and when basis, they will be required prior to each meeting at a cost of £99.00 per hour plus VAT.

PAYMENT TERMS

If you decide to instruct us in your matter then we are always happy to negotiate payment terms with clients if you wish to set up a weekly or monthly standing order then this can be arranged, the amount you pay each week or month will depend upon which service we are providing you with.