5 Ways to Reduce Legal Costs After Separation

If you have recently separated from your partner, you may be concerned about the cost of resolving parenting arrangements or a property settlement. Family law disputes can be emotionally challenging, but there are practical steps you can take to reduce legal fees and keep costs under control.

Joel Niles, Associate in Family Law, shares five practical ways to manage legal costs after separation while working towards a fair and timely resolution.

Collect and Organise Your Financial Documents Early

When you negotiate a property settlement, you have a duty to disclose all information and documents that are relevant to your financial position. This is called the ‘duty of disclosure’.

Your financial documents are important when it comes to formalising a property settlement and dividing your assets.

It is important that you collect and organise important documents such as your tax returns, company and trust financial statements, superannuation statements, bank account statements, your payslips and your Centrelink documents.

You can provide these to your lawyer in one set of clearly labelled documents. Your lawyer will be able to process and review these more efficiently and give you the right advice about your entitlements and options. Sending information and documents “in dribs and drabs” is one guaranteed way to increase your costs.

Understand the Value of Your Assets Before Negotiating

In working out what a property settlement may look like for you, your lawyer is required to establish the asset pool available for division between you and your ex.

This involves identifying all assets and attaching a ‘dollar value’ to each.

The less time you and your ex spend arguing over the value of items through your lawyers, the less money you are likely to waste on legal fees.

In thinking about what the value of an asset is, try to think about its ‘current market value’. That is, what the asset would sell for ‘as is’ on the market. Assets like furniture that may have cost a lot of money to buy and may be insured for large amounts, may have minimal current market value.

An asset may also have significant sentimental value to you but have very little market value, and that is okay.

If you and your ex disagree on the value of asset, it may need to be formally valued by a licensed valuer. This would help settle the argument over what an asset is worth.

Use Lawyer Assisted Mediation to Resolve Disputes Earlier

Lawyer assisted mediation is a process during which a qualified mediator assists two people in dispute by meeting with them and their lawyers to negotiate a mutually satisfactory agreement. The mediation is not a “Trial” and so the mediator does not take sides in the dispute or make a decision about which party is right or wrong.

Everything that is said during the mediation (including offers and counteroffers) remains confidential. By having your lawyer present, you can get legal advice on any issues and offers that are raised at the time and this may help you reach a fair agreement.

By reaching agreement at mediation, you and your ex can avoid the costs of formal Court proceedings while also retaining some control over the outcome.

If you would like to know more about mediation, read our article here: **How-to-resolve-your-dispute-without-going-to-court**

Follow Court Orders to Avoid Additional Legal Costs

If your matter is in Court or has been in Court and Court Orders are made, you must follow them.

If you are unsure what an Order means or what you are required to do, ask your lawyer. There are serious consequences for not following orders.

If you do not follow Orders this can lead to further disputes, further Court hearings and further costs.

Importantly, the Court can order you to pay some of your ex's legal costs depending on the seriousness of your breach and the effect of your non-compliance on your ex.

Be Willing to Compromise on Minor Issues

Resolving disputes around property settlement or parenting arrangements inevitably involve some compromise for both you and your ex partner.

It can be hard to let the little things go, especially when there is emotion attached to that issue.

Your lawyer will help you to sift through and identify key issues in your matter as well as the things that will have little impact on the 'big picture. Being prepared to 'let the little things go' will save you time and money.

Unless your matter progresses to a Trial in Court, at some stage you or your ex partner are likely to accept a proposal made by the other. This can be difficult where you do not get along or you have a fixed view about what the final outcome should be.

Being open to negotiating about matters can lead to an earlier resolution. It might also help you avoid going to Court altogether, which will save costs.

While separation can be stressful, taking a proactive approach can help reduce legal costs and make the process more manageable. Organising your documents, understanding your financial position, considering mediation and focusing on practical outcomes can all contribute to a quicker and more cost-effective resolution.

How can Andersons Solicitors help?

At Andersons, we understand the value of early advice in reaching a successful resolution to Family Law matters as quickly and cost effectively as possible.

At Andersons we work a little differently than many law firms in that we offer a 90-minute Family Road Map meeting tailored to your personal situation. Read more here: **Family Law Road Map**

All your concerns and questions will be addressed in this appointment and your lawyer will explain the process and outline a plan for next steps. All for a set fee.

There is no obligation to engage our team after this meeting but at the very least you will have a plan to progress your matter.

For more information or to book your 90-minute Family Road Map appointment, please call 8238 6666 or contact us using our online **Contact Form**