

## What is Arbitration?

### Overview

We all hear of long, drawn-out Court hearings dragging on seemingly forever, but the Arbitration scheme for Family Law proceedings, introduced in 2012 means that it is now possible for couples to agree the appointment of an Arbitrator to adjudicate the dispute and make a binding decision.

### Areas that can be dealt with

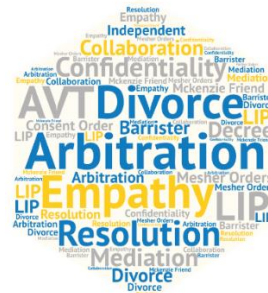
- Financial and property disputes arising from: marriage and its breakdown (including financial provision on divorce, judicial separation or nullity);
- Civil partnership and its breakdown;
- Co-habitation and the ending of co-habitation;
- Parenting or those sharing parental responsibility; and provision for dependants from the estate of the deceased.

Arbitration will help to take the pressure off the Court system by enabling couples to appoint an Arbitrator to deal with their case in a much speedier fashion. Once the Arbitrator has been appointed he/she will see the case through to the conclusion when a final decision is made. Once the decision is made it will become legally binding as it is as enforceable as those made by Court proceedings. There benefits to using Arbitration include:

### What are the advantages of Arbitration?

- **Speed** – Hearings are able to be fixed quicker and at a convenient time & place to suit both parties. There is no need to wait for a slot in the overburdened court schedules – the venue may be the Arbitrators office or a meeting room at a neutral location.
- **Continuity** – The Arbitrator will run the entire process, something that is not always be guaranteed within the Family Court system.

- **Flexibility** – With Court proceedings you can choose your solicitor but not the Judge! With arbitration you select and appoint the Arbitrator.
- **Confidentiality** – The only people in attendance are the parties, their representatives, experts and witnesses. Therefore Arbitration is a sensible option with high profile divorces where media intrusion would be less than desirable.
- **Legally Binding** – The orders made by the Arbitrator are legally binding in the same way as those made by a District Judge in court.



### In conclusion

Arbitration is just one alternative to traditional court based divorce and we recommend that before anything else you should consult a trained family lawyer to discuss your options. Or for help in finding an Arbitrator contact us on



01892 612500 or 0800 668 1898 (Freephone)



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