



Myerson Family

Our guide to
separation agreement

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Welcome

Everything we do is ultimately about you, and it is important you get to know the team that will be working with you every step of the way.

Our Family Team have extensive experience in dealing sensitively with complex legal issues following a separation. If you choose to work with us, you will discover exceptionally talented lawyers who have a passion for making a genuine difference to our clients' lives.

Why Myerson?

Our highly experienced and discreet family lawyers, provide clear and supportive legal advice, tailored towards your individual family needs.

As a firm, we are proud to be ranked as **'Top Tier'** in the prestigious international directory **The Legal 500** and ranked by The Times **'Best Law Firms 2019'**; therefore you can be assured that you will receive the best quality advice and service.

As an all service law firm, we are well placed to provide wide-ranging, tailored legal advice to meet your individual needs. We work closely with other departments internally including Real Estate, Corporate, Commercial and Private Wealth Lawyers to ensure that your needs are protected comprehensively.



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How We Work.

Every case is different, and it can be difficult for our clients to know where to start.

Simple and effective. We will always have an initial conversation with you, without any obligation, to explain the process and get to know you and your situation.

We respect your emotions and feelings. We work hard building close relationships with our clients as we understand that agreeing to separate can be an emotional and confusing experience. We are used to dealing with complex legal family issues and ensure that the advice you receive respects your feelings, at what is often a stressful time.

Trust. You're in safe hands. We help clients nationwide and internationally with complex and sensitive cases on a daily basis. So you can rest assured that our expert team knows its stuff!



Your Solicitors



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The solicitors that will be working with you are specialists.

All members of your Family Team are full members of **Resolution** (a body of family lawyers committed to adhering to the Resolution Code of Practice which promotes working constructively in an attempt to avoid unnecessary conflict) and individually ranked by international legal directory The Legal 500.

You can find out more about our Family Law Team by clicking [here](#).

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Separation Agreement

What is a separation agreement?

A separation agreement is a nuptial agreement made between individuals contemplating separation or who have already separated.

The agreement sets out financial arrangements during the period of separation and how finances should be divided when divorce or dissolution follows.

Do I need a separation agreement?

A separation is not a prerequisite to divorce. However, if you want to issue divorce proceedings based on the fact of two years' separation with consent, or five years' separation, this can be a practical way to regulate finances.

Alternatively, a separation agreement can be used to regulate your finances if you are unable to divorce because you have not been married for a year or there will be some delay before the Court can approve a financial order within divorce proceedings.

If you do not wish to divorce for religious or personal reasons, a separation agreement can help regulate finances whilst separated. Alternatively, you may wish to consider Judicial Separation proceedings.

To view more information on divorce view our Divorce Guide [here](#).

How much does it cost?

This depends on the complexity of the agreement. To obtain an estimate of our charges, please call a member of our Family Team on 0161 941 4000.

What are the benefits of a separation agreement?

A separation agreement can be a helpful first step towards divorce if you are still unsure whether you wish to proceed or do not feel that you are in the right position emotionally to start proceedings. It means you have the potential to reconcile if the separation does not work out.

A separation agreement may assist the couple in working out their solutions to their financial arrangements. However, if the terms of the separation agreement are to be embodied in a financial order in subsequent divorce proceedings, it is important that the terms of the agreement are capable of being approved by a court and are compliant with section 25 of the Matrimonial Causes Act 1975.

A separation agreement is a legal contract. You must intend to enter into a legally binding relationship with your spouse. You must both be separately legally represented, and the terms of the separation agreement must be fair and reasonable. Both parties must disclose their financial position to each other in a comprehensive and transparent way ahead of negotiating terms.

Are there any drawbacks of a separation agreement?

The Family Court retains jurisdiction to divide assets at the time of the divorce, not at the time of separation.

A court is not bound to abide by the terms of a previously negotiated separation agreement, especially if one of the parties was not legally represented, if financial disclosure did not take place or was piecemeal, or the terms of the agreement are in some way unreasonable. For those reasons, it is preferable to divorce rather than to regulate your financial arrangements in a separation agreement.

You also remain legally married, and this could cause issues between parties if one of you begins a new relationship.

Don't just take our word for it...

"Divorce is the worst journey I have ever been on, but I can safely say that having Myerson on side, made it so much easier. Their patience, compassion and professionalism were continuous throughout the two years of my divorce – what an ordeal! I would recommend Myerson in a heartbeat."

"Their response time and communication are excellent, and I would have no hesitation in recommending Myerson in the future."

"The legal team have the rare ability to combine strong legal knowledge, procedural and strategic acumen but delivered with client care and overwhelming compassion in what are often difficult or testing circumstances."

"The team gave me support at a time when I needed it most. I would not hesitate in recommending them to anyone who requires a divorce lawyer."

"Your professionalism, efficiency and pragmatism are admirable."

"From start to finish everything actioned by Myerson was perfect. Nothing was any trouble, no matter how many times I contacted them over matters."

To view more Myerson reviews visit our Review Solicitors page by [clicking here](#).

You're in safe hands!

If you would like further information about how we can help you, or if you have any questions, please don't hesitate to contact a member of our Family Law Team today.

Call: 0161 941 4000

Click: myerson.co.uk

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Because
life is rarely
black and
white.



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