

**BREAKING POINT** When your marriage ends, get some expert advice. Picture: id-work



If you've really decided it's time to split, there are ways to make divorce a little less painful for all concerned

**MANY couples with relationship problems wait until after Christmas and New Year before making the move to split.**

And the start of January brings a surge in break-up inquiries for law firms.

A relationship split is never easy but is it really possible to have a "good" divorce?

Scots lawyer Lesley Gordon, partner and accredited specialist in family and child law at bto solicitors, said: "The combination of financial and emotional stress over the festive period together with living in close proximity with extended family can be enough to signal the death knell for an already shaky relationship."

Research shows living in a strained environment is unhealthy and is particularly toxic for the kids. And she says if a relationship isn't working, it's better to accept the situation and move on.

Here are Lesley's tips to help a split run smoothly.

● **Seek advice from a specialist family law solicitor.** If you had a potentially life-changing medical problem you'd want your GP to refer you to a specialist consultant - so take the same approach to your separation.

● **Get a clear understanding of your rights and responsibilities**

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as soon as possible - which will differ depending on whether you are married or cohabiting.

The more you know about the law and what to expect from the process the less time and energy you will waste on unproductive worrying.

Consider a preliminary legal advice package to answer initial questions for a fixed fee.

● **Going to court may not be the best way to resolve things** as it can inflame the situation and is very stressful.

There are times when going to court is necessary but it is usually the last resort.

There are effective alternatives for resolving disputes and reaching agreement on dividing assets and care arrangements for children, such as negotiation, mediation and collaborative law.

● **The more information you have about the finances,**

the better. In many cases one party will handle the family's finances and one will take responsibility for other tasks.

If you don't know much about your family's income, outgoings and assets, find out or your lawyer can help.

● **Retain copies of financial documents in a safe place** and print information stored on computer.

● **List your assets and debts** and understand their value. If you can, do the same for your spouse.

● **Consider closing or freezing joint accounts** so your spouse does not run up balances that the bank can ask you to repay.

Aim to have some funds in an account in your sole name to

support yourself in the short term.

Take advice from a solicitor before making any changes to the household finances.

● **Aim to establish a civil, business like relationship** with your estranged partner. If you can, it will make the process much easier and cheaper.

● **Think carefully about how and what you are going to tell the kids, and how to reassure them.** If possible, tell them with your spouse.

● **Don't argue in front of the children** or involve them in adult issues.

No matter how furious you are or how tempting it might be, it doesn't help any child to hear their mum or dad

criticised or to ask them to take sides between the two most important people in their life.

● **Update financial and legal documents** as soon as possible after a separation.

A married couple will routinely name the other as the beneficiary in their will, on insurance policies, and death in service nomination.

Following a separation most people's wishes change.

● **Don't go it alone.** Separation or divorce is a stressful and emotional experience.

Seek support from friends, family or from independent professionals such as your GP or a counsellor.

The better care you take of yourself, the better placed you will be to deal with tough times and making the best decisions for your future.

● **Independent Scottish law firm bto** have offices in Glasgow and Edinburgh. See [www.bto.co.uk](http://www.bto.co.uk)

# How to make a clean break

**ADVICE** Lawyer Lesley Gordon

