

# Family

## What is the service we offer?

Are you unhappy in your relationship? Are you thinking of separating but do not know whether you can cope financially? Are you worried about what will happen to the children, the house, your savings and pension?

H.D Keane can help you. We offer a specialist family service and can advise you of the best approach to help you move forward.

## Who is it for?

- Those involved in family or relationship breakdown.
- Those involved in disputes over children - which can be between the parents, grandparents or partners.
- Those uncertain of how to divide their matrimonial assets, personal savings, family business and/or pensions.

## How the service works

We will assess your situation, advise you on an outcome and help you reach your objectives. One of our specialists will be assigned to work with you throughout your case.

## How much will it cost?

Each situation will be different, and we will advise you on costs from the outset. We charge on an hourly rate.

## What you should do next?

If you are interested in our services, please contact us by telephone, fax or email.

## Separation Agreements

Our solicitors have expertise in helping our clients negotiate the terms of a separation agreement. The ending of a marriage/partnership is very traumatic and the expertise of our solicitors helps our clients in the following

- Negotiate terms of a separation agreement in a non-acrimonious like manner;
- Assist the client in guardianship and custody of the children;
- Maintenance;
- Agree the division of properties of the marriage/relationship;
- Succession (protection of your future estate);
- Pensions;
- Taxation;
- All other issues particular to the client.

## Judicial Separation

In some circumstances it is difficult to negotiate a separation agreement and, therefore, an application to Court for a judicial separation/divorce may be necessary. The grounds for a judicial separation are generally that a normal marital relationship has not existed between the parties for a period of at least one year immediately preceding the date of the application to court. All of the issues mentioned under separation above have to be examined.

There are various reliefs that our expert solicitors advise our clients on in respect of negotiating terms of a separation agreement.

## Divorce

Divorce is where both parties of the marriage, on consent or contested, make an application to Court to sever the marriage. The grounds for applying for divorce are similar to that of Judicial Separation, However, there is one major difference in that the parties must be legally separated for four of the previous five years in order to have a successful application brought to Court.

Our team of expert solicitors will:

- give clear advice to our clients in respect of any divorce applications;
- ensure that all the various entitlements applicable to our clients are applied for and brought to the Court's attention.

## **Civil Partnership**

The Civil Partnership Act, 2010 came into law on the 1<sup>st</sup> July, 2010. It will be fully implemented when the Finance Bill, 2010 has been made law.

It has been quoted as one of the most significant pieces of legislation in the history of this State. It offers various rights to co-habiting couples outside of marriage. It also offers equal rights to same sex couples in respect of their personal and financial affairs.

Our solicitors have all the necessary expertise in advising in respect of any civil partnership issues.

## **Maintenance**

In many circumstances a client may need to make an application for maintenance before considering separating or applying for divorce. It may also be the case that a non-marital couple need to make an application for maintenance regarding the welfare and upbringing of their children. The application is brought before the District Court and our solicitors have expertise in advising our clients on all the family law maintenance legislation.

Our solicitors will advise on the criteria required and the various reliefs that are applicable to our clients. Our solicitors have expert advocacy experience in dealing with these matters.

## **Guardianship**

Irish law dictates that the natural mother of the child is automatically the guardian of the child. However, many fathers of children born outside of marriage are unaware that they are entitled to make an application to Court for guardianship. Guardianship is an extremely important right for a father and it can only be achieved by an application to Court.

Our solicitors have expert experience in this area and advise our clients in accordance with their circumstances.

## **Custody & Access**

This is one of the most significant areas of family law to our clients. It is always difficult when a relationship breaks up. However, those most affected by the break up of the relationship are often the children. It is most important for the children's emotional, social and general welfare that they have a relationship with both parents.

Our solicitors have expert negotiating skills in assisting our clients in negotiating the terms of custody/access. If an agreement cannot be reached our solicitors also have the expertise in bringing applications to Court for custody /access orders

## **Domestic Violence**

Unfortunately, domestic violence is on the increase. No person should allow themselves be subject to domestic violence and our solicitors have various expertise in advising our clients in respect of:

- Protection Orders;
- Safety Orders;
- Barring Orders.

If you are the victim of domestic violence it is most important that you report this matter to An Garda Siochana and then immediately contact our team of solicitors who will be able to give you the appropriate advice.

## **Child Abduction**

What is child abduction? Child abduction, in simple terms, occurs when a child is removed from a person who has the legal right to custody of the child, referred to as the “custodian parent”, without that person’s authority or consent.

Unfortunately, child abduction is on the increase in Ireland and our team of solicitors have expertise in advising our clients on the following:

- The Hague & Luxembourg convention;
- Brussels II BIS;
- The Luxembourg convention.

This can be an extremely traumatic event for a parent to deal with and it is a very specialised area. Our solicitors have the various expertise to bring the necessary applications to Court and, if necessary, issue proceedings through the Central Authority if the child has been removed from the country.

For any further enquiry, contact us today for advice from an expert family law solicitor.