



BATH FAMILY LAW
LLP

Do I have to
involve the courts?



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Not all cases need to go to court. In fact, at Bath Family Law we actively seek resolution without the court wherever possible (and safe to do so). Most people are not familiar with court appearances so the emotional, as well as the financial costs, can be high. However, you will still need to present documents (such as Financial Orders and Child Arrangements) to the court for approval.

What other options are there?

For couples who believe they can reach agreement amicably, we can explore the option of using Collaborative Law (which focuses on working together to find solutions). Alternatively, you can each seek your own legal support and guidance to assist you to reach resolution through negotiation. Formal written agreements are then lodged with the family courts to make them legally binding. These include:

- **Child Arrangements** – Specific arrangements for a child's care and upbringing including who has parental responsibility, where the child will live and how decisions about their welfare should be made
- **Financial Orders** – Cover how assets are divided and the future responsibilities of each party to the other.



If you don't want to submit your agreement to court to obtain an order, or it's not applicable in your situation, it can be set up like a contract instead. **Separation Agreements**, which outline the terms of your breakup (including property division, future finances, child custody and support), work in this way.

What about Protective Orders?

Where an individual or family is at risk of harm, and a Protective Order is necessary, an application must be made to the courts. These include:

- **Non-Molestation Orders** – To prevent your former partner from harassing, intimidating or harming you
- **Occupation Orders** – Define who can live in the home or come within a certain distance of it.

While it is possible to consider alternatives (such as a cease-and-desist letter), where serious domestic abuse is present a court application is the only way to achieve the appropriate level of legal protection. At Bath Family Law, we will do our utmost to ensure the safety of you and your family, including fast-tracking applications to the court if you require immediate protection.



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The smarter way to separate



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more information or
to book a **FREE** initial
consultation with one of
our family law experts

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