

# What do I do if...?



Jennifer Brunt

The most common way that questions within divorce and financial proceedings begin is, 'what do I do if my spouse does not...'

Jennifer Brunt, Director and Head of Family Law at Jackson Lees, discusses her top five 'what do I do' questions:

## What do I do if my spouse does not answer my solicitor's letters?

Chasing a spouse who will not respond to correspondence is often costly and without results. Therefore, if your spouse will not respond to any correspondence it is often more cost-effective to issue court proceedings, sooner rather than later, to ensure that your case makes some progress.

## What do I do if my spouse will not adhere to court orders?

There are many court provisions that will assist one party when the other party does not adhere to court orders. Provisions such as penal notices and costs orders can be applied for if your spouse is unnecessarily prolonging your proceedings and actively not engaging with the court. While it can be a stressful and lengthy procedure for the party involved, the court can take action against a party that deliberately breaches an order if this is applied for.

## What do I do if my spouse will not cooperate with enforcing our financial order?

Once you have a final financial order in place, you must then take steps to implement the order. If your spouse is still continuing to disengage from proceedings, despite financial orders, penal notices and costs orders, you can make an application to the court for committal, i.e. ask the court for a committal to prison for breach of an order. Whilst this may be an extreme measure to take, the court do have powers to make such an order and, indeed, recently sent an 83-year-old man to prison for 14 months for deliberately prolonging a divorce and causing emotional and financial harm to his spouse.

## What Jackson Lees can do for you...

- Fixed fee options available
- Out of hours appointments from 5–7pm on Monday, Wednesday and Thursday.
- Heswall office open on a Saturday (book for an appointment)
- Four local offices to choose from:
  - Heswall 0151 909 3206
  - Birkenhead 0151 909 3194
  - West Kirby 0151 909 3130
  - Liverpool 0151 909 3235
- Collaborative lawyers

**If you are in need of family law advice, contact our team to book an appointment or to chat through your options. Call us free from either a mobile or landline on 0808 302 4835.**

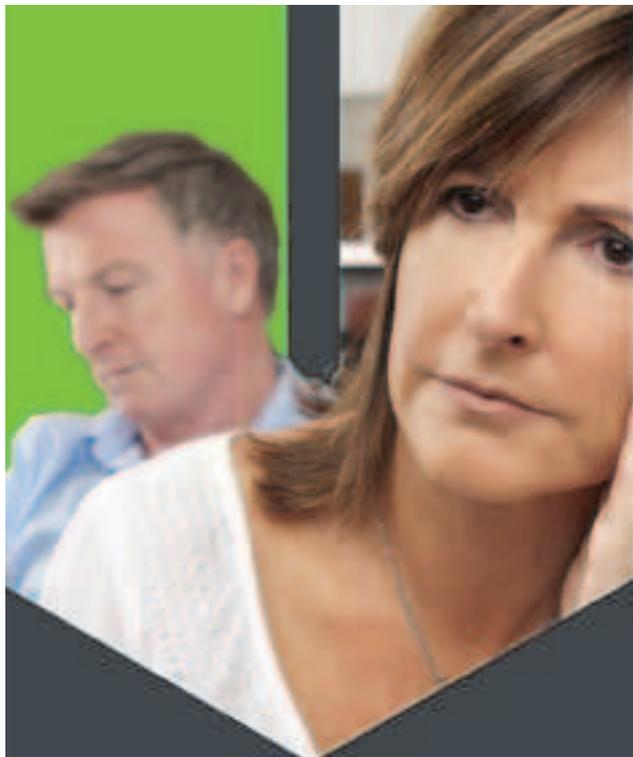
## What do I do if my spouse will not answer my divorce petition?

Do not fear; if your spouse will not complete their acknowledgement of service form, there are ways around this. Depending on the grounds that you issue your divorce petition, if you are aware that your spouse has received the divorce papers, we can apply to the court to confirm the same, and ask that the court allow the next step to proceed. You can also have a 'bailiff' personally serve the divorce petition upon your spouse to ensure that they have received the court documentation and then confirm the same to the court. We can assist you with moving on to the next step.

## What do I do about my divorce?

Even if you have a tricky spouse and you feel that they will intentionally make your divorce harder or more costly, we are able to assist you and ensure that your divorce runs smoothly and with as little stress as possible. There are always alternative options to uncooperative spouses and we are able to assist you with managing your case.

**If you would like to talk to one of our specialist family law advisers, please call us free on 0808 302 4835 (free to call from mobiles) or email [family@jacksonlees.co.uk](mailto:family@jacksonlees.co.uk) or visit our website [www.jacksonlees.co.uk](http://www.jacksonlees.co.uk)**



## Sometimes you just need to know where you stand

We know how difficult relationships can be. If yours has broken down, we will answer any questions you have, offering you the support and compassion you need. Our tailored service offers fixed fee options and Saturday and evening appointments.

Call us on 0808 302 4835 for expert legal advice.

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