

Family Law

Financial Provision On Divorce

Dianne Millen · March 5th 2020

The Dome, Edinburgh

PURSUE  EXCELLENCE

Financial Provision On Divorce: What If There Is No Matrimonial Property?

The focus of most financial provision disputes is on fair sharing of the value of the net matrimonial property. What options might be available to your client if there is little or no matrimonial property? This seminar will consider the potential options to include assets within the definition of matrimonial property; the use of the other section 9 principles and the concept of special circumstances to maximise returns for clients in this position; and how to manage clients' expectations. It is aimed at early career solicitors and experienced family law professionals seeking a refresher.

The session will look in detail at:

- Introduction - the definition of matrimonial property
- Options for increasing the value
 - Conversion of assets (land, share portfolios)?
 - Can the matrimonial home be included if purchased before marriage?
- Options for increasing the share - special circumstances arguments
- Economic advantage and disadvantage - s9(1)(b)
 - Review of caselaw
 - Practical aspects of preparing a s9(1)(b) case
- Economic burden of childcare
 - Review of caselaw
 - Distinguishing child maintenance from the economic burden
 - Practical aspects of preparing a s9(1)(c) case
- Dependence on financial support
 - Review of caselaw
 - Managing clients' expectations as to duration
 - Practical aspects of preparing a s9(1)(d) case
- Serious financial hardship
 - Review of caselaw
 - Managing clients' expectations as to duration
 - Practical aspects of preparing a s9(1)(d) case
- Practicalities in achieving settlement
 - Taking into account the payer's resources
 - Balancing capital, pensions, and PA
- Conclusion and questions

The session will be interactive and participative using case study materials, but will not involve any role play advocacy exercises.

[Book Now →](#)

At a glance

£180+VAT; 3hrs CPD

2–5pm

March 5th 2020

The Dome

Edinburgh

Materials

Once delegates book the event, you will receive confirmation of your attendance, and a follow-up reminder email shortly before the event.

At the event, delegates will receive a comprehensive handbook covering issues raised, including any presentation material. The handbook will be provided hard copy, and these materials will be available to purchase after the event for those unable to attend.

The event begins at 2pm. Delegate registration is open from 1:30pm



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The Speaker



**Dianne
Millen**

Dianne is an Associate and Professional Support Lawyer in the Family Law Team at Morton Fraser, and specialises in advising on the financial and child-related issues which arise when couples separate, with a particular interest in international and high-value cases involving complex asset positions. She also acts in private adoption (including international cases) and cohabitation claims (both separation and succession). Dianne also leads the firm's Edinburgh adults with incapacity practice and regularly acts for individuals and local authorities seeking guardianship and related orders as well as advising on the implementation and challenge of Powers of Attorney.

Dianne regularly writes on family law topics of interest to professionals and the public, in the UK and internationally. Prior to qualifying as a solicitor, she had a successful academic and public sector career in research and project management. She has widespread experience of presenting and chairing sessions at conferences in the UK and across Europe as well as facilitating small group training events, and holds an accredited qualification in coaching and mentoring.

As part of her current role, she also provides professional support and training for the Family Law team in terms of knowledge management, practice development and process redesign.

The venue

The event will take place at the The Dome, in Edinburgh.

The Dome

14 George Street
Edinburgh
EH2 2PF

www.thedomeedinburgh.com

0131 624 8624

Unable to attend?

If your diary precludes attendance at the event, the course materials will be available for purchase.

Please contact us for more information.

CCPD Training

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