

family pre-nuptial agreements

Pre-nuptial agreements are becoming increasingly common, and there is some merit in considering such a document before marrying, especially if this is a party's second or third marriage. The Court is giving increasing weight to pre-nuptial agreements in these circumstances.

A pre-nuptial agreement is a contract between a couple who intend to marry. The agreement sets out each other's financial situation in a full and frank manner. It also expressly describes what financial arrangements should ensue if the couple subsequently separate or divorce.

However, such an agreement can be overturned if the couple go on to have children. Furthermore, the timing of the document is crucial – if it is not made soon enough before the marriage ceremony, then it may also be deemed invalid.

The English Court will not allow a private document such as a pre-nuptial agreement to side-step the authority of a divorce Judge. However, if the relationship proves short lived and childless, then the divorce Judge will almost certainly take into consideration the intentions of the parties, reflected within the pre-nuptial document.

This is especially so where couples have



been previously married. They want to bring some certainty to a situation should the relationship eventually breakdown, and a pre-nuptial agreement provides clear information regarding their intentions at the outset. Such an agreement is not ignored by the Court and is taken into consideration.

This is an area of law which is continually developing, and where advice from a specialist family lawyer is essential.

Buckles Solicitors LLP – key contacts

Buckles Solicitors LLP has a strong Family Law Department with in-depth experience of dealing with the breakdown of family relationships, whether in marriage, cohabitation or civil partnership, whether or not children are involved.

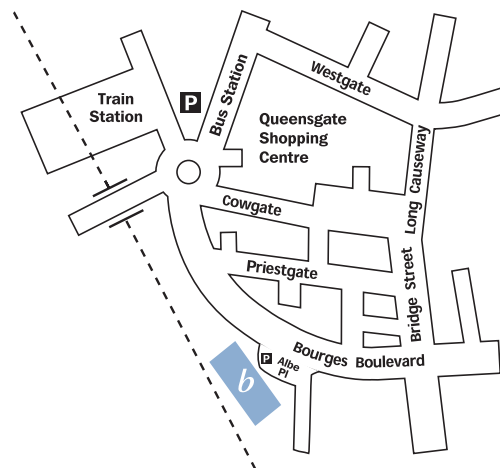
We tailor solutions to the needs of each client offering a bespoke service based on an individual's circumstances, and understand the related practical issues, such as how to separate, where to live, the arrangements for any children, and money or property matters.

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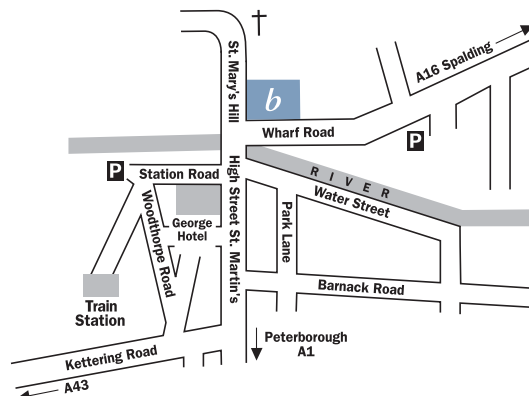


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