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Solicitors And Divorce

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Solicitors And Divorce:

Divorce Lawyers and Their Clients Austin Sarat, William L. F. Felstiner, 1995-08-03 Each year more than 2 million Americans get divorced and most of them use a lawyer. In closed door conversations between lawyers and their clients, strategy is planned, tactics are devised, and the emotional climate of the divorce is established. Do lawyers contribute to the pain and emotional difficulty of divorce by escalating demands and encouraging unreasonable behavior? Do they take advantage of clients at a time of emotional difficulty? Can and should clients trust their lawyers to look out for their welfare and advance their long term interests? Austin Sarat and William L. F. Felstiner's new book, based on a pioneering and intensive study of actual conferences between divorce lawyers and their clients, provides an unprecedented behind-the-scenes description of the lawyer-client relationship and calls into question much of the conventional wisdom about what divorce lawyers actually do. *Divorce Lawyers and Their Clients* suggests that most divorces are marked less by a pattern of aggressive advocacy than by one of inaction and drift. It uncovers reasons why lawyers find divorce practice frustrating and difficult and why clients frequently feel dissatisfied with their lawyers. This new work provides a unique perspective on the dynamics of professionalism. It charts the complex and shifting ways lawyers and clients negotiate their relationship as they work out the strategy and tactics of divorce. Sarat and Felstiner show how both lawyers and clients are able to draw on resources of power to set the agenda of their interaction while neither one is fully in charge. Rather, power shifts between the two parties where it is achieved. Power is found in the ability to have one's understandings of the social and legal worlds of divorce accepted. Power then works through the creation of shared meanings. *Divorce Lawyers and Their Clients* examines the effort to create such shared meanings about the nature of marriage and why marriages fail, the operation of the legal process, and the best way to bring divorces to closure. It will be fascinating reading for anyone who is going through a divorce or has gone through one, as well as for lawyers, judges, and scholars of law and society.

Alternative Perspectives on Lawyers and Legal Ethics Reid Mortensen, Francesca Bartlett, Kieran Tranter, 2010-09-13 The study of legal ethics and the legal profession has emerged as a distinct and important field of scholarship over the last 30 years. However, as in other disciplines, academic recognition can in turn entrench static and powerful meta-theories and narratives about professional ethos and practise. This collection seeks to disrupt this homogenising impulse and to present alternative voices by bringing together a range of international scholars writing about legal ethics and the legal profession. The book features significant and timely contributions which take contemporary and non-mainstream perspectives on the current and future shape of the legal profession. The essays not only describe the rapidly changing profession but canvas different approaches to scholarship on the legal profession. The collection seeks to explore a diverse and contextualised profession from a number of angles. Authors examine how the public sees lawyers and how lawyers see their own profession, how we practise law and how this practice shapes lawyers, how such cultural and professional practice intersects with institutional structures of the law, to

create certain legal outcomes and how we regulate the legal profession to modify or institute ethical practice The volume provides insights into legal culture and ethics from the perspective of authors from Australia Canada England the United States New Zealand and Kenya a diversity of national perspectives that give valuable insights into developments in the profession at the local and global level It also illustrates diversity within the profession by tracing differing professional career trajectories based on raced or gendered barriers alternative ethical strategies and the impact of organisational cultures in which lawyers practice Family Transformation Through Divorce and Remarriage Margaret

Robinson,2003-09-02 Looks thoroughly at the complete divorce remarriage stepfamily cycle in the context of demographic data the legal process and the systemic theoretical framework Lawyers' Ethics and Professional Responsibility Andrew

Boon,2015-08-27 This book aims to produce lawyers who can debate criticise and change professional ethics as well as understand their underlying rationale Written by the author of the leading work on the subject The Ethics and Conduct of Lawyers in England and Wales this book is aimed at the undergraduate or postgraduate student taking a half or full course in the subject The book is divided into four parts dealing with the professional and regulatory framework for delivering legal services the obligations owed to clients wider duties and responsibilities and practice settings It sets out the important background to the modern practice of law and explains the theoretical underpinning of professional ethics and its everyday application through conduct rules and principles Extracts from legislation cases and conduct rules are provided and comparative issues are considered where relevant The book is also interactive raising issues and posing questions that will encourage students to engage with the material as they read which will also be helpful for classroom discussion **Lawyers**

and Mediators Mavis Maclean,John Eekelaar,2016-02-25 Do lawyers make matters worse or do they provide information advice and support which can help to prevent disputes arising or manage them when they do Do mediators enable parties to communicate and reach agreements tailor made to their needs Or working outside the legal framework do they find it difficult to protect weaker parties and access expert advice What happens when lawyers become mediators This book will describe the structure of service provision and the day to day work of lawyers mediators and lawyer mediators drawing on empirical work carried out between 2013 and 2015 immediately after the recent changes to the management of divorce and separation within the family justice system The reduction in legal aided help in 2013 and the failure of mediation to fill the gap in 2014 15 have given rise to a difficult debate This book aims to provide an account of some of the practical effects of these policies through a description of the daily work of practitioners in the sector It raises the question of whether we need to choose between traditional legal services and the new processes of private ordering or whether intermediate positions might be possible Conciliation in Separation and Divorce Lisa Parkinson,2023-07-05 Originally published in 1986

reissued here with a new preface this study of the origins and early development of family conciliation services in Britain outlines their philosophy methods of work and reported results illustrated with case examples The examples demonstrate

that disputes between separating and divorcing couples involve complex personal and family problems as well as legal ones and that the practice of conciliation needed to be set in the context of current changes in family law and court procedures At the time many solicitors and courts were adopting a settlement seeking approach in matrimonial cases rather than a sharply adversarial one and the complementary roles of solicitors and conciliators gave rise to dilemmas in practice as well as offering potential advantages This book draws a parallel between the work of ACAS in industrial disputes and the similar approach of family conciliation services but points out that there are also major differences It also shows how the experience of conciliation practice gained in other countries throws some useful light on the questions being raised in Britain Research findings from Australia Canada and the United States are used in discussing the future of conciliation in the short and longer term and in looking at the possible development of alternative methods of resolving disputes

Divorce For Dummies, UK Edition Elizabeth Walsh,Thelma Fisher,Hilary Woodward,John Ventura,Mary Reed,2011-02-08 There s no such thing as an easy divorce On top of the emotional turmoil there are also numerous other concerns from organising finances and splitting property to breaking the news to children and picking the best lawyer This comprehensive guide shows that with a clear head and straight talking advice divorce can be swifter and easier than expected letting you make a clean break and move on with confidence Divorce For Dummies includes the most up to date information on What to Do First When Things Start to Go Wrong Separation A Healthy Breather or a Prelude to Divorce Helping Your Children Get Through Your Divorce Pre marital Agreements Same sex and DIY divorces About the author Elizabeth Walsh is a legal expert and the Editor of Family Law recently voted Legal Journal of the Year Thelma Fisher is a former chair of the UK College of Family Mediators and has been involved in mediation for over twenty years

The Solicitors' Journal ,1876 **A Common Sense, Practical Guide to Divorce in New York** Lenard Marlow,2020-07-02 With the exception of the loss of a child or someone very close divorce is often the most difficult experience anyone will have to negotiate in his or her life But what turns it into the tragedy that it so often becomes is the legal nonsense that they will be exposed to when they turn to divorce lawyers Divorce lawyers don t help They only make things worse That unfortunately has been the sad legacy that our adversarial legal system has bequeathed to divorcing husbands and wives But it doesn t have to be that way And it doesn t have to drag out for years or cost a king s ransom A lawyer is not just an advocate someone who uses the law as a weapon in a legal tug of war the object of which is simply to get as much as you can and to give as little as you have to As this book argues a lawyer is also a counselor at law someone who will use the law as a common framework that divorcing husbands and wives can look to in their effort to conclude an agreement There is a name for this It is called divorce mediation and it doesn t take forever or cost a king s ransom

The Futures of Legal Education and the Legal Profession Hilary Sommerlad,Sonia Harris-Short,Steven Vaughan,Richard Young,2015-03-26 We are currently witnessing an unprecedented transformation in the legal profession and legal education The Legal Services Act 2007 and the Legal Aid Sentencing and Punishment of

Offenders Act 2012 have both enabled and necessitated dramatic structural changes to the profession as well as impacting on its ethos and ethicality. The recent Legal Education and Training Review LETR promises similarly dramatic change to the provision of legal education reflecting the shifting landscape of both the legal professional market and Higher Education in general. These transformative changes bring both exciting opportunities and challenges with which everyone involved in the law from University lecturers to Senior Partners in leading law firms to the judiciary must grapple. This edited collection comprises a selection of papers presented at the 2nd conference of CEPLER Birmingham Law School's Centre for Professional Legal Education and Research. The aim of the Conference and thus this collection was to bring together leading academic scholars, senior figures from professional practice, policy makers and representatives of the regulatory authorities to reflect on the key issues arising from this transformative moment. As such, this volume of essays covers diverse ground from curriculum development to professional theory, enriched and enhanced by the range of backgrounds and perspectives of its contributors.

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