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Solicitors And Divorce

**Mavis Maclean, John Eekelaar, Benoit
Bastard**

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

Law and Parenthood Chris Barton, Gillian Douglas, 1995-05 Most academic literature focuses on the position of the child in relation to the parent or the state In reality the law is more concerned with the role and function of parents and this new book addresses the key issues of parental rights and responsibilities

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 **Delivering Family Justice in the 21st Century** Mavis

Maclean,John Eekelaar,Benoit Bastard,2015-08-27 Family justice requires not only a legal framework within which personal obligations are regulated over the life course but also a justice system which can deliver legal information advice and support at times of change of status or family stress together with mechanisms for negotiation dispute management and resolution with adjudication as the last resort The past few years have seen unparalleled turbulence in the way family justice systems function These changes are associated with economic constraints in many countries including England and Wales where legal aid for private family matters has largely disappeared But there is also a change in ideology in a number of jurisdictions including Canada towards what is sometimes called neo liberalism whereby the state seeks to reduce its area of activity while at the same time maintaining strong views on family values Legal services may become fragmented and marketised and the role of law and lawyers reduced while self help web based services expand The contributors to this volume share their anxieties about the impact on the ability of individuals to achieve fair and informed resolution in family matters **Family**

Transformation Through Divorce and Remarriage Margaret Robinson,2003-09-02 Family Transformation Through Divorce and Remarriage is the first book to look thoroughly at the complete divorce remarriage stepfamily cycle in the context of demographic data the legal process and the theoretical framework For each phase of the cycle the author describes the stages of development summarises the relevant research and illustrates the effects on family members with case examples *The Oxford Handbook of Empirical Legal Research* Peter Cane,Herbert Kritzer,2012-05-17 The empirical

study of law legal systems and legal institutions is widely viewed as one of the most exciting and important intellectual developments in the modern history of legal research Motivated by a conviction that legal phenomena can and should be understood not only in normative terms but also as social practices of political economic and ethical significance empirical legal researchers have used quantitative and qualitative methods to illuminate many aspects of law s meaning operation and impact In the 43 chapters of The Oxford Handbook of Empirical Legal Research leading scholars provide accessible and original discussions of the history aims and methods of empirical research about law as well as its achievements and potential The Handbook has three parts The first deals with the development and institutional context of empirical legal research The second and largest part consists of critical accounts of empirical research on many aspects of the legal world on criminal law civil law public law regulatory law and international law on lawyers judicial institutions legal procedures and evidence and on legal pluralism and the public understanding of law The third part introduces readers to the methods of empirical research and its place in the law school curriculum

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

English Lawyers Between Market and State Richard L. Abel,2003 During the 1990s reforms in the English legal profession transformed traditions over the vigorous objections of the judiciary Bar and Law Society This book mines that tumultuous period for insights into the prospects of professionalism in the 21st century

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

Adversarialism and Consensus? Lisa C. Webley, 2013-11-13 A penetrating study of the divergent messages that the Law Society of England and Wales versus the UK College of Family Mediators subtly transmit to their members about the professional approach to adopt in divorce and custody disputes Lisa C Webley uses a grounded theory method to analyse training accreditation best practice statements and codes of conduct contrasting the two professions and their divergent self identities Do they promote healing and agreement among divorcing couples and involvement of the children in decision making or adversarial litigation and paternalism Are their styles traditionally feminine or masculine From her dissertation Abstract The study examines the extent to which the training accreditation and codes of conduct of family solicitors and family mediators privilege adversarial or consensus based approaches to divorce for their clients in the light of statements made around the time of the passage of the Family Law Bill which suggested a dichotomy in professional approach by these two professional groups It considers further the nature of professional identity for each of the professional groupings as constructed through the messages delivered by the professional bodies Part of the Dissertation Series from Quid Pro Books

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

The Solicitors' Journal, 1928

Deserted Wives and Economic Divorce in 19th-Century England and Wales Jennifer Aston, Olive Anderson, 2024-11-14 This book considers Section 21 of the Divorce and Matrimonial Causes Act 1857 and its significant

impact on previously invisible married women in the 19th century Tens of thousands of women used this little known section of the Act to apply for orders from local magistrates courts to reclaim their rights of testation inheritance property ownership and dependent on local franchise qualifications ability to vote By examining the orders that were made and considering the women who applied for them the book challenges the mistaken belief that Victorian England and Wales were nations of married cohabiting couples The detailed statistical analysis and rich case studies presented here provide a totally new perspective on the legal status and experiences of married women in England and Wales Although many thousands of orders were granted between 1858 and 1900 their details remain unknown and unexamined primarily because census records did not consistently record dissolved marriages and there is no central index of applications made Using sources including court records parliamentary papers newspaper reports census returns probate records and trade directories this book reconstructs the successful and unsuccessful experiences of women applying to magistrates courts and the Court for Divorce and Matrimonial Causes to protect their assets across regions and decades

Dissolving Wedlock Dr Colin Gibson, Colin Gibson, 2002-09-11 The divorce rate has been rising significantly throughout the twentieth century By interweaving the historical demographic sociological legal political and policy aspects of this increase Colin Gibson explores the effects it has had on family patterns and habits Dissolving Wedlock presents a multi disciplinary examination of all the socio legal consequences of family breakdown Dissolving Wedlock will be invaluable reading to all lecturers and students of social policy sociology and social work as well as to professionals and lawyers working in the field of divorce

Draft Civil Law Reform Bill Great Britain. Parliament. House of Commons. Justice Committee, 2010 Draft Civil Law Reform Bill Pre legislative scrutiny sixth report of session 2009 10 Vol 2 Oral and written Evidence

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 *Law's Families* Alison Diduck, 2003-07 Examining the diversity of perspectives and approaches in family law scholarship and drawing upon this work this book provides an analysis of recent trends in family law from a socio legal and feminist perspective and questions the nature of the nuclear family **The Solicitors' Journal & Reporter** ,1857 **Solicitors and Divorce** Richard Ingleby, 1992 This book examines solicitors activity in the resolution of matrimonial disputes The empirical data on which the book is based were derived from the continuous monitoring of the files of 60 divorcing clients over a period of about 18 months This has enabled an examination which is based on actual observation of correspondence between solicitors court documents and records of conferences and telephone calls The vitality of the data provides an account of out of court activity which has a depth and currency not found in studies based on other methodologies Solicitors interactions with their clients are seen within the context of organizational personal and economic constraints as they endeavour to reconcile the competing demands of their clients their colleagues the courts and the Law Society

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