
Resolve

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Resolve at Hunters provides an opportunity for separating couples to resolve matters arising from their separation amicably and with dignity, whilst benefitting from top-level legal advice given with the interests of the whole family in mind.



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In Resolve, one lawyer advises you and your former partner together, helping you create your own solutions and retain a constructive post-separation relationship.

We understand that some separating couples worry that going to lawyers might raise tensions between them. By choosing to have one lawyer advising you both, you avoid that risk without sacrificing the benefits of high quality, tailored legal advice in helping you reach a fair agreement in which you can both have confidence.

Resolve is not suitable for everyone: there are many cases where a separating couple would be best served by each having their own lawyer, such as where there is a lack of trust, a serious power imbalance, domestic abuse, or an unwillingness to negotiate on one or both sides. Before embarking on the process, we will meet with each of you individually to ensure that you understand what *Resolve* involves, and to satisfy ourselves that it would be in both of your best interests for us to act for you jointly.

“I know that many separating couples want a ‘good divorce’ – to find fair solutions using a respectful and dignified process, without sacrificing the benefits of bespoke legal advice. I’m thrilled that through Resolve Hunters is now able to meet this demand.”

Henry Hood, Senior Partner

Frequently Asked Questions

What is *Resolve*?

Resolve is a service we provide to separating couples where one experienced lawyer (or a team under that lawyer's leadership) advises you together. Elsewhere it is called "1 lawyer 2 clients" or "1 lawyer 1 couple". Unlike in more traditional family law services, where a lawyer only advises one client, with Resolve the lawyer is able to advise both of you if you each choose to manage your separation or divorce together and we are satisfied that it is in your interests for us to advise in this way.

Is one lawyer allowed to advise both of us?

Yes. Solicitors cannot act for two clients whose interests are in conflict, or potentially in conflict. However, where you have a common interest in reaching a fair resolution of the issues arising on your separation without going to court, there may be no conflict, meaning we are permitted to advise you both. Both of you will need to agree to one lawyer acting for you both, and we will need to be satisfied that it is reasonable for us to act for you both.

The fact that you may initially have different ideas about what you would like to achieve does not amount to a conflict so long as you are both willing to negotiate and want to work together to bridge the differences between you. However, if it becomes clear that this will not be possible, a conflict would arise, meaning that we could not continue acting for you both, and we would cease doing so after advising you on your options to move forward. In such cases, we would not be able to act for either of you in the matter. The possibility that a conflict may arise is kept under review at all times.

Can we use *Resolve* to agree arrangements for our finances and our children?

Yes. Whether you want to resolve both financial arrangements and arrangements for children, or only one of these, *Resolve* can help, so long as your joint aim is to reach an outcome that meets your needs and, where relevant, those of your children.

How does *Resolve* work?

We will usually see you both together initially, before holding individual meetings with each of you to assess whether *Resolve* is suitable. Once that has been established, you both need to formally sign up to the process with a written agreement, confirming you will disclose all relevant information.

In finance cases we will then work with each of you to collect and share all of the relevant financial and other information, and then advise you, in a joint meeting, on how the law applies to your circumstances and the range of possible outcomes. We will then lead you in balanced conversation, encouraging interest-based discussions rather than positional bargaining, to assist you in reaching a fair and informed agreement. Where necessary, joint guidance can be accessed from other professionals such as accountants, independent financial advisors and pensions experts.

Where you are (also) seeking to agree arrangements for your children, we will explain the legal principles involved and explore how you each see the best interests of the children. If we consider it would be helpful, then with your agreement we can engage the services of a professional such as an independent social worker to work with the children, or a family therapist to work with the family as a whole.

What happens if we reach agreement?

You will have a 14 day 'cooling off period' so that you have time to reassure yourselves that the solution you have reached fits your future needs. If you both then confirm that you wish to proceed, we will prepare the appropriate documentation. For financial cases this will be a draft Court Order enshrining your agreement, and we will oversee the process by which it is submitted to the court for approval by a judge and "sealed", making it binding. In children matters a Court Order is not usually needed, and we can prepare a Parenting Agreement.

Is *Resolve* right for us?

Resolve is suitable for separating couples whose joint aim is to reach an outcome together which meets both of their needs, and if they are parents, the needs of their children. *Resolve* can succeed if you are both emotionally able and willing to work together, and prepared to be open and transparent, sharing all relevant information.

Resolve is not suitable where there has been any form of abuse in the relationship, where there are safeguarding or capacity concerns or a significant power imbalance, or where one party feels under pressure to agree to using the process. Further, if there is an unwillingness to negotiate or to make full disclosure of all financial and other relevant information, *Resolve* will not be appropriate. Some particularly complex areas of law (such as child abduction or the international relocation of children) do not lend themselves to the *Resolve* approach; nor is it appropriate where there is a clear conflict or disputed facts. Finally, matters involving concerns around unlawful acts (e.g. fraud or money laundering) are best suited to other processes.

Will I have to sit in the same room as my spouse?

If you prefer not to sit in the same room as your spouse, then *Resolve* is probably not the best process for you. There are still plenty of different ways in which you can resolve matters between you without going to court including hybrid mediation (where a mediator shuttles between you and your spouse, and each of you has your own lawyer with you), solicitors' negotiations (where each of you has a solicitor who negotiates on your behalf) and arbitration (where an expert third party makes a binding decision after hearing from each of your lawyers). We can act for you in any of these processes (assuming we have not previously advised you and your spouse together within *Resolve*).

Can *Resolve* proceed remotely e.g. via Zoom calls?

It will usually be better to hold meetings in person. If there is a particular reason why remote meetings would be helpful for you, we can discuss this.

How long does it take?

Using one lawyer instead of two enables cases to progress significantly faster. Much will depend on the complexity of your situation and the pace at which you both wish to progress, but most financial cases will take a minimum of around three to four months to reach the point at which we are ready to submit an agreed draft order to court.

Can I take my own legal advice as well?

Whilst we do not envisage that you will need to, you are certainly able to if you wish to do so. That advice will remain private to you.

Our assets are quite complex. Can we use *Resolve*?

Absolutely. We are quite used to matters involving complex and substantial asset bases, and this experience can be applied in whatever process is being adopted. We can also invite financial specialists (e.g. accountants, independent financial advisors (IFAs), pension specialists) into the process whenever they might be needed.

I think I will also need some financial advice. Can that be part

Certainly. Solicitors are generally not allowed to give financial advice, but wherever this is needed, as it frequently is, we would invite appropriate specialists (IFAs or accountants) to advise within the *Resolve* process. This advice would be joint, but it would also be open to you to take separate financial advice if you wished to do so.

Will our agreement be binding? What if I change my mind?

Once agreement is reached, you will have a 14 day 'cooling off period' so that you have time to reassure yourselves that the solution you have reached fits your future needs. If you both then confirm that you wish to proceed, we will prepare the appropriate documentation to have the agreement become a final and binding court order. A financial agreement reached through *Resolve* would then be treated in the same way as an agreement reached through any other process. *Resolve* is simply a different way of reaching the same end point of an enforceable court order enshrining the way in which your financial needs, or the needs of your children, are to be met after divorce.

Arrangements for children do not usually need to be confirmed in a court order and are always subject to change as the children's needs and wishes evolve. However, a written parenting agreement, which we can prepare as part of the *Resolve* process, is useful to avoid any uncertainty as to what has been agreed.

What if we can't reach an agreement?

Once it is clear that it will not be possible for agreement to be reached, a conflict will have arisen meaning that a single lawyer can no longer act for you both. At that point we would inform you both of other options for taking your matter forward such as solicitors' negotiations, hybrid mediation (where a mediator who may hold confidences shuttles between you), or arbitration (where an expert third party will make a decision for you). Court proceedings will usually be a last resort.

If we don't reach agreement through *Resolve*, can a *Resolve* lawyer be involved later?

No. None of Hunters' family lawyers would be able to advise either of you and you would each need to instruct a new lawyer.

What are the benefits of *Resolve*?

Resolve supports you in reaching consensus on an agreed outcome together, which many couples prefer to having an unpredictable outcome imposed on them by a judge.

Resolve is cost effective as you pay for only one legal team rather than two. It is also likely to be quicker, enabling you to reach agreement up to a year earlier than would be possible through court proceedings.

You will receive high quality legal advice from an experienced family law professional which is aimed at benefitting your family as a whole, in the context of a respectful process which facilitates a constructive post-separation relationship.

Does *Resolve* have any drawbacks?

Some people prefer to have their own lawyer to feel like they have someone “on their side”; if that is how you feel then *Resolve* may not be the best process for you.

If agreement cannot be reached through *Resolve*, or if a conflict arises, then we would need to cease acting for both of you, and you would need to explore other routes and instruct new solicitors.

How is *Resolve* different to mediation?

In *Resolve*, the lawyer provides you both with legal advice, explaining how the law applies to your circumstances and setting out the range of possible outcomes. By contrast, a mediator, even if they are a lawyer, is not permitted to give legal advice – their role is to facilitate discussions, with each of you taking your own legal advice.

Can you manage the divorce paperwork as well?

Yes. Since April 2022 it has been possible to make a joint application for divorce on the basis that the marriage has irretrievably broken down. We can advise you on how to complete the necessary online application, or we can manage the paperwork for you.

Is *Resolve* suitable for couples who cohabited but were not married?

Depending on the nature of the issues which need to be resolved, it may be possible to address them through *Resolve*. Get in touch with us to discuss this further.

Is it expensive?

Resolve is more cost-effective than many other processes, because between you, you are only instructing one lawyer rather than two.

Is *Resolve* regulated?

Resolve is a form of legal advice and we are therefore regulated by the Solicitors Regulation Authority when providing it, as with any other legal service we provide. *Resolve* follows the Resolution Together model created by Resolution, an association of family lawyers.

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Our *Resolve* expertise

Resolve will be provided by Henry Hood. Voted “Family Law Partner of the Year” at the prestigious Family Law Awards in 2021, Henry is one of London’s leading family lawyers with nearly 30 years’ specialist experience.

Henry has extensive experience of financial claims involving substantial wealth and complex UK and foreign assets, with a particular specialism in landed estate and farming divorce cases. Henry’s clients include UHNW individuals and their spouses, ranging from bankers, entrepreneurs, senior lawyers and substantial property owners.



Henry Hood
Hunters’ Senior Partner and
Head of the Family Department

Henry’s work includes challenging children matters, where his expertise and understanding are highly regarded. Henry recognises the importance of taking a holistic approach to the family’s future, working with therapeutic and other providers where appropriate.

On Resolve’s launch Henry said *“I know that many separating couples want a ‘good divorce’ – to find fair solutions using a respectful and dignified process, without sacrificing the benefits of bespoke legal advice. I’m thrilled that through Resolve Hunters is now able to meet this demand. Whilst it won’t suit everyone, and many going through divorce will still need individual advice, Resolve offers a flexible and creative solution for separating couples willing and able to work constructively together.”*

For further information please contact:

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