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## Child Law - Divorce and Children <sup>[1]</sup>

Concerned about your Children during your Divorce? Contact our Experts today



If your relationship has broken down the most difficult thing is to ensure any children understand what is happening. The less friction there is between parents the less upsetting your separation will be for any children.

Our vast experience allows us to fully appreciate your situation and advise you on child law matters.

## Parental Responsibility

**The duties and responsibilities which parents have toward their children.**

- Do you as a parent know your rights with regard to obtaining parental responsibility should you not automatically have it?
- Did you know that in second marriages, step-parents can now acquire parental responsibility?

We can advise you on parental responsibility and the implications of the process for obtaining parental responsibility. Our [family law](#) <sup>[3]</sup> team is very approachable, call us today on 0121 746 3360 or [send us an online enquiry](#) <sup>[2]</sup>.

## Contact (previously 'access')

**The time the parent with whom your children do not live have with the children.**

Contact with the non-resident parent

- is a *child's* right
- is not automatically the *parent's* right.

## Try to agree contact without legal intervention

- In most cases it's best if parents can agree the level of contact to be had by the children and the non resident parent.
- If this is not possible **we can assist in your negotiations** and ultimately advise you upon and pursue formal applications before the court.
- If you as parents simply cannot agree arrangements, ultimately a judge can impose and enforce appropriate arrangements.
- Negotiations and court proceedings can be a lengthy process.

It is vital that you secure expert advice regarding Child Contact at the earliest opportunity. Talk to our experienced family law team today on 0121 746 3360 or [send us an online enquiry](#) [2].

## Residence (previously 'Custody')

**After your separation a decision must be reached as to which parent the children will live with on a day to day basis.**

Where agreement can be reached between the parties, there is no need for any order to be made to dictate with which parent the children should live.

### We cannot agree upon residence of our children

Should you be unable to agree the issue of residence we can attempt to negotiate agreement between you and the other parent. Should our attempt to reach an agreement prove unsuccessful a court application may be necessary. We will:

- Advise you on the likelihood of success in your case
- Prepare all documentation required
- Represent you at court.

Need information/advice on Residence or Childrens matters? Our acclaimed family law team can help. Talk to us today on 0121 746 3360 or [submit an online enquiry](#) [2].

## Money and property for children

**Parents have a legal obligation to financially support their children until the age of 19 or completion of full-time secondary education.**

- The parent who does not live with the children will be expected to be paying child maintenance [4].
- If maintenance is paid voluntarily there is no need for the involvement of CMEC, Child Maintenance & Enforcement Commission (previously known as the Child Support Agency).
- If agreement cannot be reached a referral to the Child Support Agency can be made.

We are able to give an accurate estimate of the level of maintenance the Child Support Agency may order to be paid should a referral be made.

## Other Child Law Related Matters

Looking for legal advice on Child Law related matters not listed on this page or elsewhere on the website? **Call us on 0121 746 3360** to arrange an appointment or **submit an online enquiry** <sup>[2]</sup>.

For any matter related to children and the law, our team of family solicitors can help. Contact us online <sup>[2]</sup> today.

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### Links

[1] <https://www.sydneyMitchell.co.uk/services-individuals/family-law/separation-and-divorce/child-law>

[2] <https://www.sydneyMitchell.co.uk/contact>

[3] <https://www.sydneyMitchell.co.uk/services-individuals/family-law>

[4] <https://www.sydneyMitchell.co.uk/services-individuals/family-law/separation-and-divorce/child-law/child-maintenance>