



Starting Out?
We Can Help



anthony gold

S O L I C I T O R S

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Are you or your children about to marry or live with someone?

Many family or personal disagreements can be avoided or areas of dispute limited if advice is taken at a sufficiently early stage. Our family team is able to help you even before you start living together or before you marry or enter into a civil partnership.

Pre nuptial and pre civil partnership agreements

“Let’s have a pre nup.” Many people feel that the idea of a pre nup is not very romantic. Or that it is the sort of thing that only the rich and famous do. However a pre nup or pre civil partnership agreement can be invaluable in the resolution of disputes arising on relationship breakdown. It is best to regard such an agreement as an insurance policy – hopefully it will not be required but it is better to have one!

What is a pre nup?

A pre nuptial or pre civil partnership agreement is an agreement entered into by a couple before their marriage or civil partnership which seeks to regulate what should happen to their income and assets in the event of the breakdown of their relationship.

Pre nuptial, pre civil partnership and post nuptial agreements are not automatically binding under English Law but will be given considerable weight by the court upon divorce or dissolution subject to certain safeguards being followed. Such agreements are binding in many European countries and US States.

They are particularly useful in the case of short marriages or cases where there are no children, or where one party is significantly richer than the other. They are increasingly used in second marriages.

A Collaborative Approach



Collaborative Law is a fairly new process where the parties and their solicitors try to resolve matters by round table meetings. This process is especially well suited to the drawing up of pre nuptial agreements. Anthony Gold was at the forefront of establishing Collaborative Law in England. The family team has 4 collaborative lawyers.

What is a post nup?

If you have already married or registered a civil partnership and you wish to regulate your financial affairs with your spouse or partner, you can enter into a similar form of agreement known as a post nuptial agreement. As case law stands at present it is even more likely to be regarded as binding than a pre nup.

If you are considering entering into any of these agreements, it is essential that you and your partner both take independent legal advice. You will both be asked to provide details of your finances. The terms of your pre nuptial or pre civil partnership agreement must be finalised in good time in advance of your marriage or registration ceremony.


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And if you plan to live together

It is even more important to obtain legal advice if this is the case. Many people do not realise that if you live with someone then you do not automatically acquire rights in the event of relationship breakdown. There is no such thing in England and Wales as a common law spouse.

The law relating to cohabitation (whether a couple is heterosexual or same sex) is very complex. For this reason, cohabitation agreements which define ownership of property and regulate payment of mortgage and outgoings, are strongly advised. The Courts may regard these agreements as binding in appropriate circumstances.



Buying a property with your partner

It is important that you seek advice **before** you finalise or complete your purchase. It is possible for the property to be held in a way that reflects your respective contributions. It may be prudent for a trust deed to be drawn up. If parents have helped by loaning or gifting money to help with the purchase or the costs of improvements then it is important that they too have independent legal advice to safeguard their position. Our property team will be happy to advise you.



What about a will?

It is always advisable to review or make a new Will at those times in your life when your circumstances change. This is particularly so when you enter into a new relationship. We have a specialist team of private client lawyers who would be happy to advise you in this regard. If you have a Will then it may be revoked by your marriage and so it is essential to take legal advice. It is especially important to make a Will if you are cohabiting as opposed to being married or in a civil partnership.

Why use Anthony Gold

- We have an established reputation for expertise in Family Law and our family team are listed as leaders in their field in the independent guides, Chambers and the Legal 500.
- All of our clients are represented by a lawyer who specialises exclusively in family law and we ensure you have the opportunity to meet with us face-to-face and to speak to us whenever you need to.
- Many of our lawyers are recognised as leading experts in their fields. The breadth of our practice area allows us to provide a thorough and cost effective service as our lawyers can use the expertise of other departments if this is necessary for your case.

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