

MILLS & REEVE

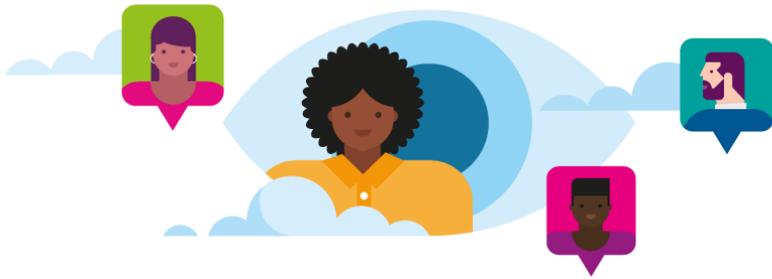
Achieve more. Together.

Planning today. Protecting tomorrow.

Private Client and Family and Children
Manchester

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MILLS & REEVE

Achieve more. Together.

Mills & Reeve can help, advise and protect you at every key stage of your life. Our team have advised individuals and families for over 200 years. We draw on our experience to find the best solutions for you and your family. We're proudly rated highly in the legal directories.

Our clients include business owners, landowners, professionals and those in the sports, media and entertainment world who wish to protect assets and grow their wealth. We can help you to safeguard your family wealth and to ensure you have the right structures in place.

Our family and children team includes leading lawyers, mediators and arbitrators who are recognised and recommended nationally, and internationally, for their expertise in all aspects of family dispute resolution, as well as in fertility law and wealth protection.

We can also assist you with any disputes arising out of estates, trusts and wills. We offer sensitive and clear advice at what is frequently a very challenging and emotional time. Our lawyers are highly skilled and trained and include members of the industry's top professional body (ACTAPS - the Association of Contentious Trust & Probate Specialists).

We also work with our colleagues across Mills & Reeve to provide you with expert advice on everything from commercial and corporate issues, to property to pensions.

So please click away, follow links to our website and contact one of our many experts to find out more about how we can help you.

[Next](#)

A life cycle

Click each stage to discover more





Moving in together

When you and your partner decide to move in together, you should discuss and agree how you will manage your finances. Once you have an agreement, it is important to ensure it is properly documented. A cohabitation agreement will help to avoid misunderstandings and disputes further down the line. Points you should consider include:

- Who will own your home?
- If you own your home in joint names, do you want to be equal owners or will one of you own a greater share?
- Who will pay for what?
- What happens to the property if you separate?
- What happens to the property on first death?
- What happens if one of you loses capacity and cannot manage their own affairs?

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Getting married or entering a civil partnership – nuptial / registration agreements

Having a pre and / or a post nuptial agreement (or in the case of a civil partnership, a pre and / or post registration agreement) is the best way for you to protect your own wealth, your wider family wealth and any business interests you may have, if you get married or enter into a civil partnership.

Nuptial agreements provide as much certainty as possible around how the finances will be managed during your relationship and what will happen if your relationship breaks down. They help to minimise the impact on your wealth if you go through either a divorce or a dissolution. They also help to ensure you resolve your financial settlement as quickly and cost-efficiently as possible.

We can either advise you or mediate with both of you to help you to ensure your agreement is fair and entered into properly, giving you the reassurance that it will be upheld if you ever need to rely on it.

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Having children

Creating families through surrogacy

Having children with donor conception

Adoption

Surrogacy is an increasingly popular form of family creation for people who are otherwise unable to have children of their own.

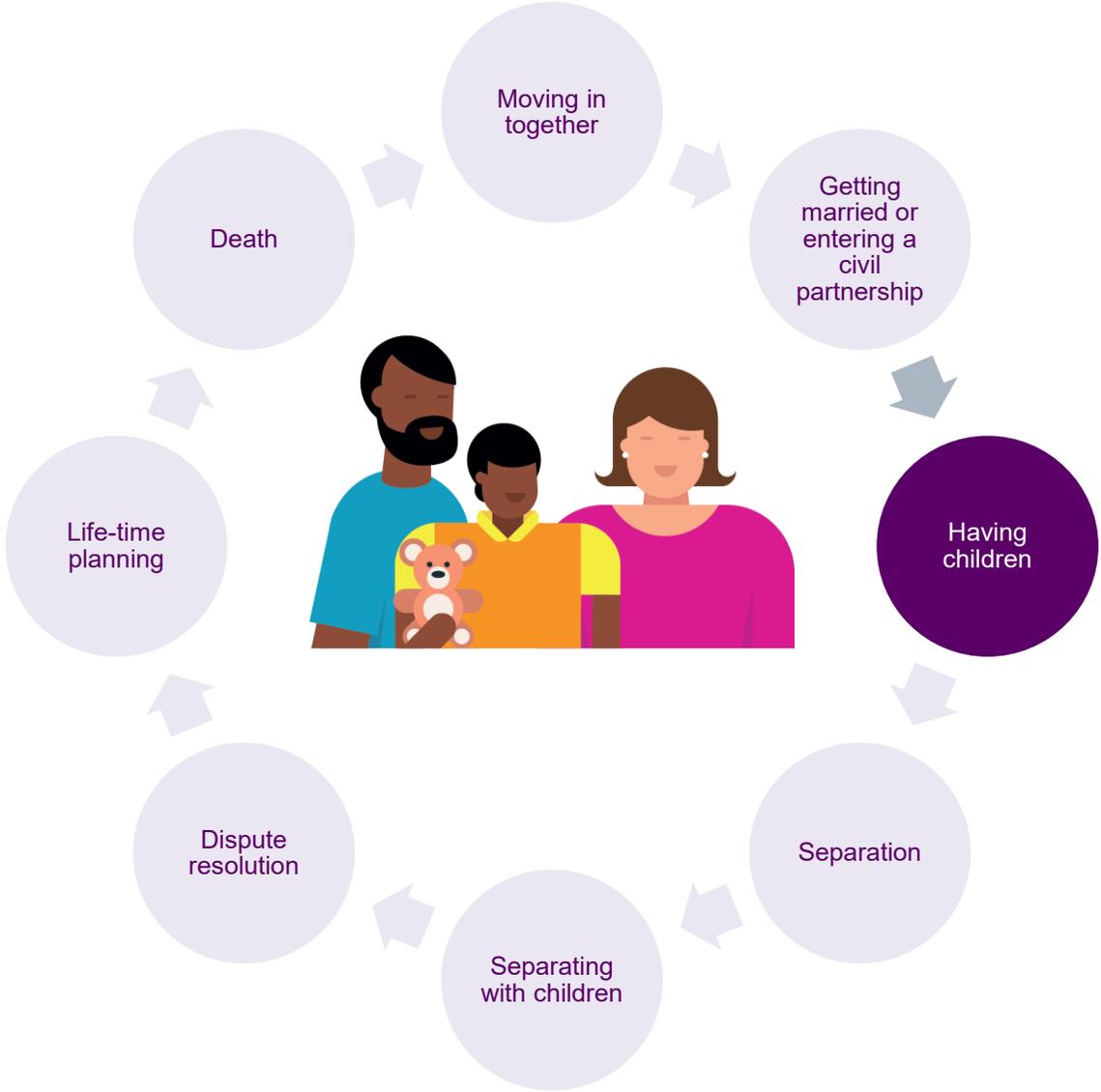
Following a surrogacy arrangement, it will be necessary to take steps to secure legal parentage of a child born through surrogacy. This is the case even if the child was born overseas in a country where the laws of that country recognise the intended parents as the legal parents of the child.

Parents undertaking international surrogacy arrangements will need a plan to obtain travel documents for the child to enter the UK.

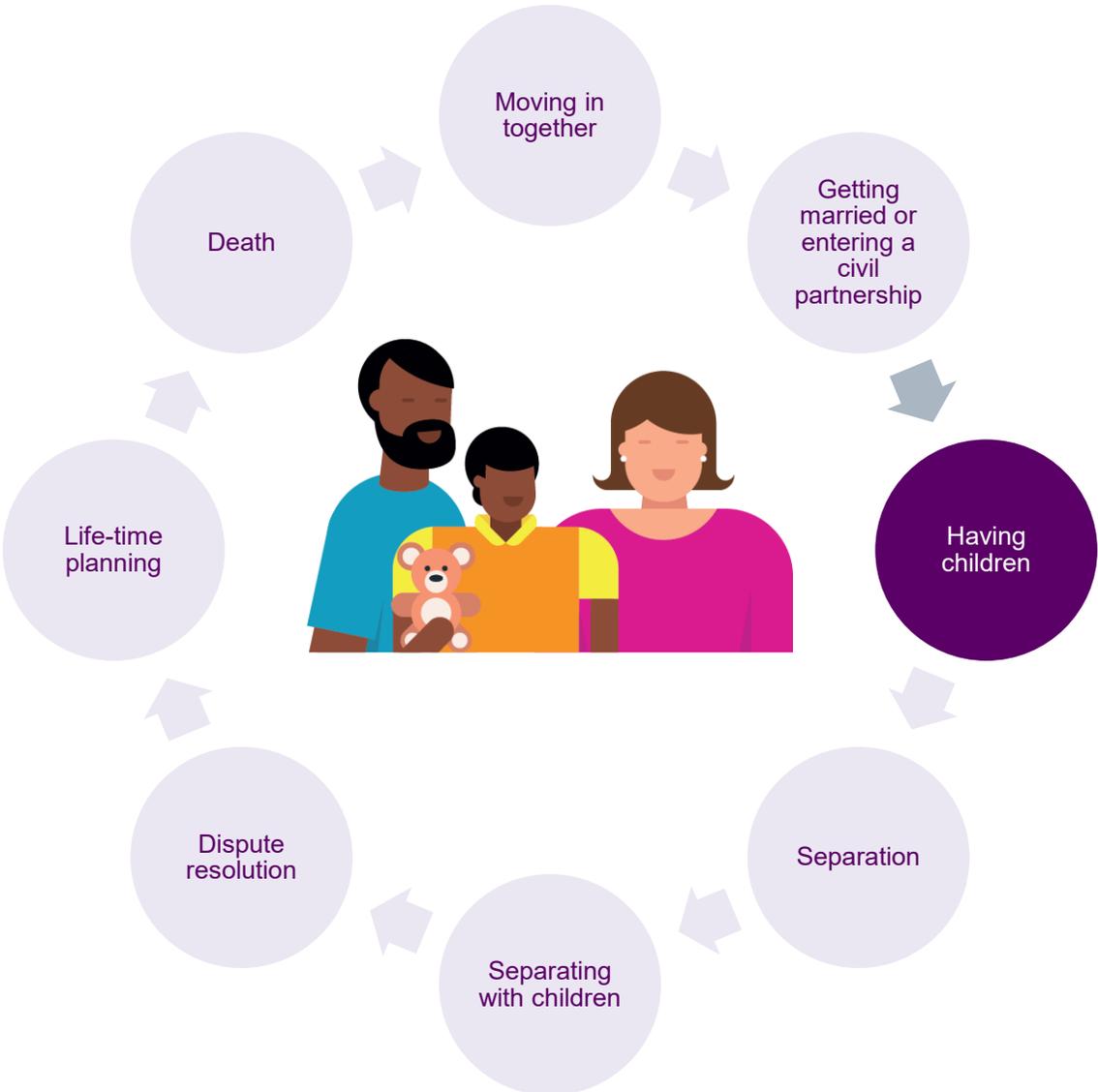
Our fertility law team can advise you on issues of legal parentage and parental responsibility and can work with our private client and immigration teams where appropriate to provide a comprehensive holistic service to our clients.

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Having children



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We provide expert legal advice on all forms of assisted reproduction including donor conception and planned co-parenting arrangements.

We advise prospective parents on the legal issues around legal parentage and parental responsibility, as well as parents of children conceived through artificial insemination where complications arise because of a dispute between a donor / co-parent, or in cases where administrative errors at fertility clinics have cast doubt over the legal parentage of children.

Navigating issues around who will be treated as legal parents (which isn't always who you intend) and what involvement everyone will have in your child's life can be tricky.

We can also advise on issues around the use of frozen embryos following divorce, separation or the death of one of the parties.

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Having children

Creating families through surrogacy

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Adoption

We advise on both domestic and international adoptions, including step-parent adoptions.

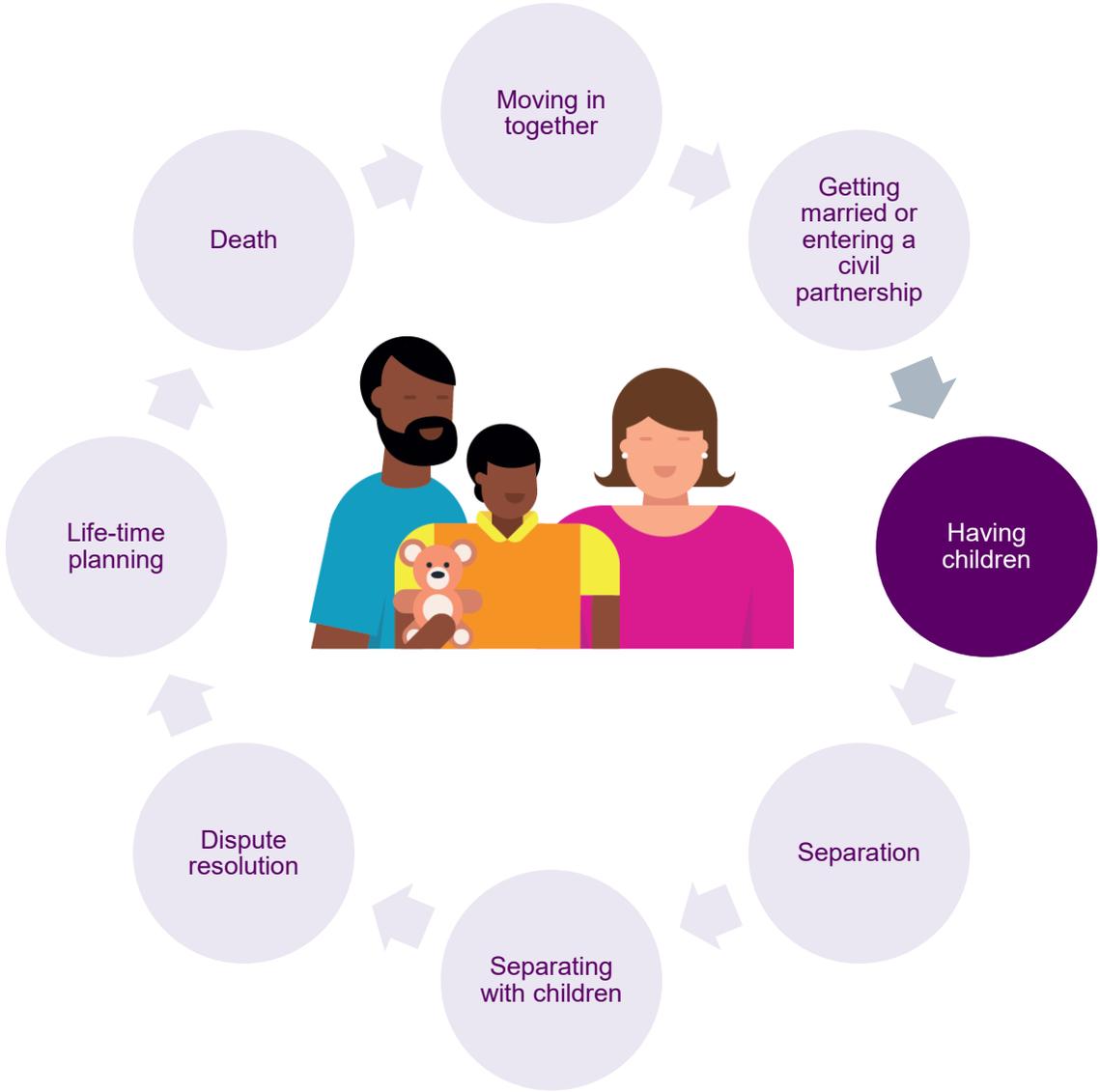
Intercountry adoptions are particularly complex, and adopters will need to comply with adoption laws in both countries. Where children have already been adopted overseas, we can advise whether the foreign adoption is recognised under UK law or whether further steps will need to be taken in the UK.

It will usually be necessary in intercountry adoptions to obtain specialist immigration advice in order to lawfully bring the child into the UK. It is important to ensure compliance with the various rules on inter country adoption laws to avoid committing a criminal offence.

We also advise on second parent adoptions by family members. The family court regards adoption orders as a last resort and it is important to consider alternative legal options such as stepparent parental responsibility agreements or orders, or special guardianship orders.

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Separation



Separating if you are not married or in a civil partnership

Separation – getting divorced or a dissolution

Financial remedy claims on divorce or dissolution

You should take early advice to ensure that you understand your legal position and your options in the event of a relationship breakdown.

In the absence of agreement, the law in this area can be complex. It is also generally misunderstood. We can clarify the extent of your respective entitlements, and any claims either of you may be able to pursue, in relation to your assets and / or any children.

We can advise either of you on your options, or we can advise both of you (if appropriate to do so). We can represent you in any negotiations, whether working collaboratively, through solicitors or in court or arbitration proceedings. Our team includes a number of leading mediators who can work with you and with your children (if child inclusive mediation is suitable) to help you to reach agreement. We also have specialist financial and children law arbitrators who can determine the outcome, if you are unable to reach agreement.

[Click here to find out more about property rights on relationship breakdown](#)



Separation

Separating if you are not married or in a civil partnership

Separation – getting divorced or a dissolution

Financial remedy claims on divorce or dissolution

If you are married or in a civil partnership, and you are going through a separation or you are already separated, we can help you to address all of the issues which can arise on divorce or dissolution. If you need legal advice to understand and protect your position, if you need help reaching an agreement with your spouse or civil partner, or if you need someone to make the ultimate decision for you both in the absence of an agreement, our experts can help.

We can advise either of you on your options, or we can advise both of you (if appropriate to do so). We can represent you in your negotiations, whether working voluntarily, collaboratively or in court or arbitration proceedings. Our team includes a number of leading mediators who can work with you and with your children (if child inclusive mediation is suitable) to help you to reach agreement. We also have specialist financial and children law arbitrators who can determine the outcome, if you are unable to reach agreement.

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Separation

Separating if you are not married or in a civil partnership

Separation – getting divorced or a dissolution

Financial remedy claims on divorce or dissolution

The Family Court has a wide range of powers in relation to finances when a couple has been married or in a civil partnership. It can order that assets should be sold or transferred between parties. It can order ongoing spousal maintenance and maintenance for children in certain situations. It can also order lump sum payments, vary nuptial trusts, and make pension sharing and pension adjustment orders.

The Family Court also has a wide range of discretion if it is asked to determine the settlement in the absence of an agreement.

We can advise either of you on your options, or we can advise both of you (if appropriate to do so). We can represent you in any negotiations, whether working collaboratively, through solicitors or in court or arbitration proceedings. Our team includes a number of leading mediators who can work with you both to help you to reach agreement. We also have specialist financial arbitrators who can determine the outcome, if you are unable to reach agreement.

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Separating with children



Separating with children

International child abduction

Financial claims on behalf of children

We specialise in all areas of children law, including child arrangements disputes, child relocation and education / schooling disputes. Many of our cases include allegations of domestic abuse, international and / or technical jurisdictional issues, or modern family disputes.

We can advise either of you on your options, or we can advise both of you (if appropriate to do so). We can represent you in any negotiations, whether working collaboratively, through solicitors or in court or arbitration proceedings. Our team includes a number of leading mediators who can work with you and with your children (if child inclusive mediation is suitable). We also have specialist children law arbitrators who can determine the outcome, if you are unable to reach agreement.

As members of Resolution, our team always strives to handle cases in a child-focused and proportionate manner.

[Click here to find out more](#)

Separating with children



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| Separating with children | International child abduction | Financial claims on behalf of children |
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Child abduction is where a child is taken from their country of “habitual residence” to another country without the permission of everyone with parental responsibility, or permission of the court.

The UK is a signatory to a number of international conventions which may be used to assist in securing the return of a child to their country of habitual residence if the other country involved is also a signatory to the conventions.

Child abduction cases require specialist legal advice. This is a very complex area of law requiring fast action. We can advise on cases where children have been brought into the UK or removed from the UK to another country. We can also advise on cases where there is a threat or risk that children will be taken overseas without the necessary permission.

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Separating with children



Separating with children

International child abduction

Financial claims on behalf of children

Separated parents can bring financial claims against each other on behalf of children.

In the absence of agreement, child maintenance is usually claimed through the Child Maintenance Service, with the main exception being if either the payer or the child lives in another jurisdiction.

Where the Child Maintenance Service cannot assess claims, maintenance claims can be brought through the Family Court.

The Family Court can also make orders in relation to children for housing provision, multiple lump sums, education costs and legal fees to cover the costs of any contested proceedings.

Our family team can advise one or both of you, as appropriate. We can represent you in negotiations and / or in court or arbitration proceedings, if required. Alternatively, we can mediate, or we can arbitrate for you both.

Dispute resolution

Our family team can help you to separate in the best possible way for your family. There are many different ways to approach the issues you will need to address and we have experts who can assist with all of the following, as alternatives to litigation:

- Collaborative law – [Collaborative Divorce Lawyers & Attorney](#)
- Family arbitration - [Family Arbitration Solicitors & Lawyers](#)
- Family mediation - [Family Mediation Solicitors & Lawyers](#)
- Legal advice from one lawyer - [Separate With One Lawyer | Divorce With One Lawyer](#)



Lifetime planning



Taxes

Giving money to children

Retirement

Ill-health/LPAs

It's always important to consider the tax implications of any sort of planning. The key taxes to think about in the context of estate planning are:

Capital gains tax (CGT)

CGT is a tax on the gains made on certain assets during your ownership. However, it can apply even when assets are given away. As with IHT, there are exemptions and reliefs available to help reduce or even eliminate the liability, so it's always important to take advice before taking any action.

Inheritance tax (IHT)

In simple terms, IHT is a tax raised on the estate of a person who has died. However, there are a number of exemptions and allowances which can reduce or even eliminate the liability, including the nil rate band allowance; the residence nil rate band allowance; gifts made between spouses and civil partners; gifts to charity; and other reliefs and exemptions may be available, depending on the type of asset or type of gift. We can advise you on the best way forward in your specific circumstances.

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Lifetime planning



Lots of clients choose to give money or other assets to family members during their lifetimes, rather than waiting to do so in their will. Giving in this way can be more tax efficient. However, while tax is a consideration, asset protection is also important and you should take advice on the various options, and the pros and cons of each. Options to consider may include the following:

- Trusts
- Loans
- Requiring the recipient to have a cohabitation agreement or nuptial agreement in place (depending on their own circumstances) before advancing funds

[Click here to find out more about establishing trusts](#)

[Click here to find out more about Cohabitation Agreements](#)

[Click here to find out more about Nuptial Agreements](#)

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Lifetime planning



| | | | |
|-------|--------------------------|-------------------|-----------------|
| Taxes | Giving money to children | Retirement | Ill-health/LPAs |
|-------|--------------------------|-------------------|-----------------|

Retirement is often a good time to take stock and look at estate planning, providing for your children and grandchildren.

It is at this stage when you may be considering moving assets on to the next generation. For example, retirement from a family business will often involve a transfer of shares. We can advise on all of this as part of your overall estate planning strategy.

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Lifetime planning



Taxes

Giving money to children

Retirement

Ill-health/LPAs

Lasting Powers of Attorney (LPAs) are an essential part of planning and something we should all have. An LPA for property and finances will allow your attorney(s) to make decisions and take action on your behalf for matters such as:

- Paying bills
- Dealing with savings and investments
- Buying and selling property

A health and welfare LPA gives your attorney(s) power to make decisions about:

- Medical care
- Where you live and your daily routine
- Life sustaining treatment

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Death

Estate planning

Estate disputes

In addition to lifetime planning, it's incredibly important to have a suitable will in place. Without it, there's no guarantee that your assets will pass to your chosen beneficiaries on death. A well-written will should cover:

- Appointing executors to administer your estate
- Naming guardians to look after any minor children
- Asset protection
- Inheritance tax considerations - in particular, ensuring that all available allowances and reliefs are maximised

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Death

Estate planning

Estate disputes

When disputes between parties involved in estates, trusts and wills arise, our specialist team are ready to assist. We act for individual beneficiaries, potential beneficiaries, trustees, executors, administrators, or charities. Our work often has an international element. We also act as independent administrators in estates where conflicts have arisen.

Our specialist disputes team offer:

- Specialist, sensitive and timely advice
- Proportionate and targeted help
- First class knowledge and an ability to provide complicated advice clearly and simply
- A national team proud to be top rated in the legal directories
- Clarity on costs as well as varying ways of funding matters

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[Click here for the lifecycle](#)

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