



**Ledingham Chalmers**  
**Family law — pricing**

**Whether you're facing one of life's happiest milestones, or one of its hardest moments, we'll help you find the best way forward for you and your family.**

Our legal team provides trusted, specialist support for

- Divorce, dissolution and separation, including mediation and collaboration
- Matters relating to children including contact, residence (commonly known as custody) and adoption
- Cohabitation, prenuptial, postnuptial and separation agreements

The wide range of complexity and circumstances when it comes to family law matters make it very difficult to provide set prices. We'll recommend an approach and way forward that works for you and your own situation.

### Divorce

We do offer fixed fee services for an initial meeting and a simplified divorce or an ordinary divorce where financial matters have already been settled. Otherwise, we charge for work using hourly rates.

We do not offer Legal Aid for divorce or family law, but you can find out more from the Scottish Legal Aid Board.

### What to expect

#### Simplified divorce

For a simplified divorce (where all financial issues have been agreed, and there are no children of the marriage under the age of 16), we offer a fixed fee of £462 plus VAT which includes the court outlay.

In the event there is an issue with serving the application on your spouse, there is a £13 additional fee plus the sheriff officer's fee may be charged. This would be discussed with you before instructing sheriff officers.

The steps involved in a typical simplified divorce include —

- Obtaining details of the parties to be divorced
- Completing simplified divorce forms for signing
- Sending the forms to your spouse for signing (where consent is required)
- Arranging for forms to be sworn before a notary public
- Sending simplified divorce forms and extract marriage certificate to the court for warranting
- Arranging service of the simplified divorce forms by the court, or sheriff officers
- Once granted, the decree of divorce will be sent to you together with your marriage certificate

#### Ordinary divorce

For an ordinary divorce, where all financial issues have been agreed but there are children under the age of 16, we offer a fixed fee of £1,500 plus VAT. There are court costs of £165 and £72. These are subject to change at Scottish Courts and Tribunals Service's discretion.

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### Hourly rate services

If matters aren't resolved, we can offer an initial fixed fee package so you can establish your situation before formally instructing us to take steps on your behalf.

For this initial meeting, our £295 plus VAT fixed fee includes —

- You completing and sending to us our pro forma client information sheet
- One of our family solicitors considering your circumstances and queries
- Legal advice at a meeting with that solicitor of up to one hour
- A follow-up email or letter summarising suggested next steps in your case, if any
- A family law introductory pack providing information sheets on aspects of family law relevant to you

If you wish us to proceed with further work beyond our initial fixed fee appointment (such as advising you, negotiating on your behalf, and where necessary, raising or defending court proceedings, or acting for you within a collaborative process), we use hourly rates to charge for our work.

We'll agree your main contact and let you know their hourly rate when we are appointed. Where possible, we'll provide an estimate for concluding your matter and detail any up-front fees (most likely if we're assisting with a court matter).

This will vary depending on a variety of factors including —

- Number of issues and documents to consider/review
- Complexity of claim/case
- Urgent aspects of the case which requires emergency measures to be taken
- Number of preliminary hearings required
- Likely length of hearing on the merits
- What approach your estranged spouse/partner takes
- Your approach
- Number of witnesses and time taken to gather evidence to support your case
- Whether experts or counsel (an advocate) require to be instructed and the associated costs
- Value of claim

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### How long will it take?

We're known for having a responsive team, with a track record of dealing with urgent matters quickly and expertly.

That said, the time spent varies considerably depending on each matter's complexity.

In our experience, a simplified divorce can be completed within eight weeks if both parties agree, all required information is provided promptly, and the court service is able to process the documentation timeously.

In contrast, a contested divorce may take nine to twelve months to reach a conclusion. Factors affecting the timescale include the discretion the court has in fixing key hearings and stages of the process and/or the extent of matters in dispute which the court determines; whether decisions are appealed; or if the other party delays in responding to matters as they arise.

These variables make it very difficult to accurately state the likely timescale of a contested divorce action.

### Cost of divorce litigation

When calculating your fee, we will charge according to the time spent on your behalf multiplied by the rates. Chargeable time is divided into units. One hour equals ten units, with a minimum recorded unit of time being one, the equivalent of six minutes.

Examples of time spent on your file include —

- Preparing for, travelling to and from and attending meetings
- Making and receiving telephone calls
- Preparing file notes
- Sending and reading letters or emails
- Liaising with other departments in the firm
- Instructing third parties on your behalf
- Court/hearing attendance, including waiting time
- Conducting any research relating to a legal aspect of your case
- Time involved in appropriate review and general file management

Even short emails require to be read, written and sent so we will charge the minimum of one unit for these.

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We shall keep our work in progress under constant review and will let you know ahead of time if we anticipate going over our initial budget figure, and we'll explain why and by how much.

Our current hourly rates are —

<b>Fee earner</b>	<b>Rate per hour</b>
Partner	£325
Senior associate	£275
Associate	£250
Senior solicitor	£225
Solicitor	£200
Trainee/administrator	£150

VAT at 20% would be added to these hourly rates. Any third party outlays or disbursements will be added to your costs.

Our experience is that if a divorce action (dealing with the issue of financial provision only and not matters concerning any children of the marriage) is defended, actions can take up to 12 months to reach the final evidential hearing in court if —

- The case is not legally complex
- There are no complex facts
- Expert evidence is not required
- Instruction of counsel is not required
- The client and his/her spouse co-operate with us and the court
- There is only one options hearing and one day of evidential hearing
- There are no more than four witnesses for both sides

Typically, here, costs could be in the region of £17,500 to £25,000 plus VAT and court dues (which may be around £500).

### **Recovering litigation costs**

Awards of costs are within the discretion of the sheriff or judge hearing the case.

Even if you are successful in pursuing or defending the action, you may not recover any, and will not recover all, of your expenses. Where the other party is ordered to pay your expenses, these are usually assessed by the court at a lower level than the fees and outlays you may have to pay to us.

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Please note that you remain responsible for paying all our costs in the first instance, irrespective of whether the court orders any contribution from the other party.

## Prenuptial, postnuptial, separation and cohabitation agreements

We're often asked about prenuptial, postnuptial, separation and cohabitation agreements.

We do not offer Legal Aid for divorce or family law, but you can find out more from the Scottish Legal Aid Board.

### What to expect

For the initial meeting, our fixed fee of £295 plus VAT includes —

- You completing and sending us our pro forma client information sheet
- One of our family solicitors considering your circumstances and queries
- Legal advice at a meeting with that family solicitor of up to one hour
- A follow up email or letter summarising the next steps in your case, if any
- A family law introductory pack providing information sheets on aspects of family law relevant to you

### How long will it take?

We have a responsive team of experts, with a track record in responding to urgent matters quickly and effectively.

The time spent varies considerably depending on the complexity of the matter, the approach you and your partner take and the number of issues to consider and review. Each case can be very different, but where matters are straightforward and terms are generally agreed, our experience is that prenuptial, postnuptial, separation or cohabitation agreements can be put in place within a few weeks.



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### Cost

Our fees for straightforward agreements start at £1,000 plus VAT. Where more complex advice and negotiations are required, the costs will be higher.

Our current hourly rates are —

<b>Fee earner</b>	<b>Rate per hour</b>
Partner	£325
Senior associate	£275
Associate	£250
Senior solicitor	£225
Solicitor	£200
Trainee/administrator	£150

VAT at 20% would be added to these hourly rates. Third party outlays or disbursements will be added to your costs, for example the dues for formally registering your agreement.

### Children

Whether you're looking to adopt a child, or to clarify your parental rights and responsibilities to secure residence/contact with a child following a separation, our experts can help.

We do not offer Legal Aid for divorce or family law, but you can find out more from the Scottish Legal Aid Board website.

#### What to expect

For the initial meeting, our fixed fee of £295 plus VAT for an initial meeting includes —

- You completing and sending our pro forma client information sheet to us
- One of our family solicitors considering your circumstances and queries
- Legal advice at a meeting with that family solicitor of up to one hour
- A follow up email or letter summarising the next steps in your case, if any
- A family law introductory pack providing information sheets on the aspects of family law relevant to you

#### How long will it take?

We have a responsive team of experts, with a track record in responding to urgent matters quickly and effectively.

The time spent varies considerably depending on the complexity of the matter, and the number of issues to consider and review. Each case can be very different, but where matters are straightforward and care arrangements are agreed, our experience is a formal agreement regulating the rotation of contact visits with your child, residence and parental rights and responsibilities can be prepared and signed within a few weeks.

If arrangements for your child cannot be agreed then it may be that you require to raise a court action in order to regulate, the residence or rotation of contact visits.

It is very difficult to predict the likely timescale for these actions. Factors affecting the timescale include the discretion which the court has in fixing key hearings including welfare hearings (of which there can be several) and/or the extent of matters in dispute which the court determines; whether decisions are appealed; or if the other party delays in responding to matters as they arise.

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All work we carry out on your behalf in relation to child-related matters, whether within or outwith a court context, is charged based on your principal fee earner's hourly rate.

### Cost

Our current hourly rates are —

<b>Fee earner</b>	<b>Rate per hour</b>
Partner	£325
Senior associate	£275
Associate	£250
Senior solicitor	£225
Solicitor	£200
Trainee/administrator	£150

VAT at 20% would be added to these hourly rates. Third party outlays or disbursements will be added to your costs.