

**Ashley's Instructions Guide:**

Long experience in divorce and financial remedy practice has taught that the presentation of Counsel's instructions can add unnecessarily to the fee the client will be required to pay the Barrister.

The Barrister is duty bound to read all documents included in his instructions/ brief. Accordingly, the pre-reading required often equals or exceeds the amount of time charged for actually being with the client or presenting the application in Court.

Ashley would recommend that the following Guide will reduce the time for pre-reading and therefore the fee required from the client:-

<b>1. Fixed Fee Conference</b>	<p>1. i).A statement/detailed chronology of:-</p> <ul style="list-style-type: none"><li>a) the parties' meeting/ premarital cohabitation period and finances and whether monies/property/pensions were introduced from either side.</li><li>b) the development of the parties' finances/ careers during marriage and their expectations/plans and standard of living.</li><li>c) the care of children and the relevant costs/school fees and level of general expenditure thereon and the plans for the children</li><li>d) the introduction of any third party monies/ inheritances in to the relationship and the manner in which the same was expended/ still to be identified. The prospect of further inheritance.</li><li>e) the inception and development history of any business /trust interest held and knowledge of any future plans for the same.</li><li>f) the causes of the marital breakdown and the finances of any third party involved and the prospects of either cohabiting with another.</li><li>g) the existence and details of any bonus or incentive schemes to be gained.</li><li>h) the interim position of the parties and any financial support provided.</li><li>i) the costs of any alternative accommodation available and potential mortgage capacity of the parties.</li><li>j) the potential of any increased earning capacity and state benefits available.</li><li>k) the ages and relative health/disabilities of the parties and children.</li><li>l) the details of any pre-nuptial or post nuptial /separation agreement reached</li></ul>
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	<ul style="list-style-type: none"> <li>ii). An Asset /Pension/ income schedule.</li> <li>iii). A summary only of the proceedings/ correspondence to date.</li> </ul>
<b>2. Conference (post Form E)</b>	<ul style="list-style-type: none"> <li>2. i) as in 1. i) to iii) above.</li> <li>ii) The Form E's and Questionnaire and Replies and any attachments thereto. (save in relation to copy bank accounts – only the last up to date statement will be required per account unless there is some particular forensic issue requiring fuller detail)</li> <li>iii) The most recent correspondence.</li> <li>iv) details of any expert opinion / reports/ correspondence.</li> <li>v) summary only of the issues and orders made to date.</li> <li>vi) the costs to date.</li> </ul>
<b>3. Pre Nuptial Agreements</b>	<ul style="list-style-type: none"> <li>3. i) a statement detailing:- <ul style="list-style-type: none"> <li>a) the ages, health of the parties and the background and history of relationship between the parties and their employments to date;</li> <li>b) the purpose of the agreement proposed and attitude of each party thereto.</li> <li>c) the intention of either party in relation to the inclusion or exclusion of existing and future asset/pension/income/ contents resources and any passive increase in values thereof as divisible between them</li> <li>d) the intended division required</li> <li>e) the approach to any existing or future children of either party</li> <li>f) any foreign jurisdiction element including plans to live abroad.</li> <li>g) the source of the funding for the agreement and any expert input required.</li> </ul> </li> <li>ii) a schedule of the parties' present assets/ pensions/ incomes together with supporting documentation.</li> <li>iii) the relevant copy correspondence to date.</li> </ul>
<b>4. Financial Dispute Resolution</b>	<ul style="list-style-type: none"> <li>4. i) Specific Instructions.</li> <li>ii) Applications and Court Orders.</li> <li>iii) as in 1. i) to iii) above.</li> </ul>

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|  | <ul style="list-style-type: none"><li>iv) as in 2. ii) to vi) above</li><li>v) any statements of issues filed</li><li>vi) any offers made.</li><li>vii) the costs schedules to date.</li></ul> |
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