

Family Law



Please introduce yourself, your role and your firm.

I qualified as a Solicitor in 1995 and have specialised in Family Law since that time. I am a member of the Law Society Family Law Accreditation Scheme and the Law Society Children Panel Accreditation Scheme. I am

Continuing with our focus on the work of Family Law Solicitors, *Lawyer Monthly* speaks to Joyti Henchie, Partner and Head of the Family Department at Attwaters Jameson Hill Solicitors. Attwaters Jameson Hill is a 14 Partner, multi-disciplinary practice with four offices across Hertford, Ware, Loughton and Harlow.

also an Accredited Specialist with Resolution in Advocacy; Children (Private Law) and Children Law-Private. I am a Collaborative Lawyer.

What are the main types of cases you work on?

I specialise in all areas of Family Law to include Divorce and Separation, Financial Remedy, Children disputes including Private Law Children Act proceedings and Public Law Children Act proceedings, TOLATA

proceedings, Pre-Nuptials, Post Nuptials, Civil Partnership Agreements, Cohabitation Agreements and Cohabitation Disputes.

What are the main challenges you face and how do you navigate them?

My clients are often vulnerable and emotional following the breakdown of a marriage/relationship, or following involvement with Social Services. They require not only sound legal and practical advice, but also reassurance and support. I am required to balance the provision of all of these services against the commercial pressures of operating a successful and profitable business. The biggest challenge is to ensure that I do not, in any way, compromise my compassion and desire to do the best to support my client against the financial demands that may be placed upon me.

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What are your opinions on court alternatives such as mediation, collaborative law and arbitration?

I welcome ADR. I think it is important that all clients are given informed alternative options as to how they wish to conduct their family matters. For some, mediation may be the most suitable option. For others, collaborative law is a very attractive option. Others are quite clear that they require me to put on my "Litigation Hat". Each client needs to be considered on an individual basis and whilst there are alternatives available to them, such as mediation and collaborative law, it allows us, as Family Lawyers, to ensure that their cases are dealt with in the best possible way for them. My only reservation is MIAMs. I am not convinced that client's should be forced to attend MIAMs before issuing proceedings. This is an additional cost and can lead to delays. I believe that a good, experienced solicitor can assess for themselves whether mediation or indeed collaborative law could be explored with a client prior to litigation.

Have there been any recent legislative changes that affect your practice area? If so, please explain.

Child Care work (Public Law Children Act proceedings) requires specialist knowledge and expertise from both the advocates involved and the experts instructed. Limitations being imposed by the Legal Services

I follow with interest the Children and Families Bill and the benefits that this could give to vulnerable children.

Commission are making it difficult for this specialised and complex work (which has serious outcomes) to be conducted by the right people, at the right level, with the right qualifications and for good experts to be identified and sourced. I fear that this will cause problems in the future with low level fee earners and inexperienced experts presenting cases. For now I simply continue to do the work with the passion and consideration that it deserves, to the best of my ability and properly utilising my skills and knowledge without being hindered by

the financial constraints imposed by the Legal Services Commission.

Are there any changes that you would like to see?

I follow with interest the Children and Families Bill and the benefits that this could give to vulnerable children. In particular I support, in principle, the legal presumption in favour of shared parenting, albeit I am concerned as to how information will be conveyed to parents and how they will interpret and act on this measure.

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