

The icon for the "Consensus" section consists of three overlapping circles: a teal circle at the top left, an orange circle at the top right, and a white circle at the bottom left.

Consensus

One couple. One lawyer.
An amicable, joint approach
for separating couples.



Consensus

Edward Cooke Family Law has developed Consensus as a solution for couples who wish to resolve issues arising from their separation jointly, using the same lawyer.

Consensus follows the “Resolution Together” model developed by Resolution* and is delivered by lawyers in our team who have undertaken the Resolution Together training.

What is special about Consensus?

Your Consensus lawyer* will be a highly skilled lawyer mediator

Unlike some “one couple, one lawyer” services, Consensus is delivered only by experienced, qualified family lawyer mediators who are experts in helping couples safely reach an agreement together in mediation and other non-court environments.

Family Consultancy support

Divorce is an emotional journey too. We recognise this, so couples using Consensus have access to support throughout the Consensus journey from a Family Consultant*, who is a qualified couple counsellor.

Consensus is part of our suite of out-of-court resolution services

Consensus is not for every couple. It is, however, fully integrated with our other out-of-court resolution services such as mediation, collaborative law and solicitor supported negotiation, so if Consensus is not for you, you can move seamlessly into another out-of-court route.

Consensus is a bespoke, tailored approach

Every separation is different. Consensus provides flexibility - while you will only have one Consensus lawyer, if additional support from another professional such as a Financial Neutral* or Early Neutral Evaluator* may help you reach a resolution, this support can be brought in.

Transparent, pay-as-you-go pricing structure

Consensus is a fully transparent, pay-as-you-go model. This means you know exactly what you are paying for as you travel through the Consensus journey.

Consensus leads seamlessly to final agreement

Your Consensus Lawyer will draft up any final agreement by way of a Consent Order* for approval by a judge. Where there are discussions over children issues, a court order is often not required but a Parenting Plan* can be prepared by your Consensus Lawyer.





We recognise that every couple and every separation is unique, and that our approach needs to mirror this. Our specialist lawyers will recommend the right approach for your specific situation.

How does Consensus work?

After initial contact with the firm, every Consensus journey typically has five stages:



Information meeting

You meet with us together.

At this meeting, we will explain how Consensus will work, explore whether Consensus is the right route for you (or whether an alternative out-of-court route may be better suited to your needs) and answer any questions you may have.



Preparation stage

You each complete an online questionnaire before meeting with us individually.

This meeting is important so we can ensure you are both ready for the first joint meeting, discuss your priorities and consider what financial disclosure may be required.



Joint meetings

You sign an agreement to use Consensus at the start of the first joint meeting.

Over the course of the meetings, financial disclosure will take place, as well as discussions over financial matters and issues relating to children.

Appropriate other professional support from a Financial Neutral or Early Neutral Evaluator is brought in when required. By the end of the joint meetings, an agreement is reached.



Reflection

It is important that both parties have time to reflect, so before we move to stage five, there will be a 14-day period to enable you to reflect on whether you are content to proceed with the agreement.



Implementation

Your Consensus Lawyer drafts up a financial agreement (Consent Order or Separation Agreement*) and an agreement in relation to children (Parenting Plan).

The Consent Order will be lodged online at court and once approved by a judge, it will be implemented (for example if the house is being sold or maintenance is being paid, this will come into force).

You will apply for the final stage in any divorce at this stage (the Final Divorce Order*).

Our integrated approach

Consensus is part of an integrated suite of out-of-court solutions we offer to enable people to reach agreement constructively.

Sorting things out without support

Direct Agreement - you agree matters directly without the need to involve a lawyer. You can then ask the lawyer to prepare a legal document confirming the agreement - by way of a Consent Order, Separation Agreement or Parenting Plan.

Sorting out issues with professional support

Consensus - you agree matters with one lawyer through a series of joint meetings with your Consensus Lawyer, who can give you advice together. Other professionals can assist where required.

Mediation - you meet with an independent mediator whose role is to assist you in reaching an agreement. You may choose to have independent legal advice from separate solicitors alongside the process. Other professionals can assist where required.

Hybrid Mediation - similar to mediation however in hybrid mediation, the couple is often supported in meetings by their respective lawyers. The mediator can "hold confidences" and have separate meetings with the parties and their lawyers so as to enable difficult issues to be resolved.

Collaborative Practice - both parties are supported by their own collaboratively trained lawyers to find solutions that work for the family. Other professionals can assist where required.

Others negotiating on your behalf

Lawyer Led Negotiation - negotiation takes place between solicitors, often in correspondence but this could also involve round table meetings attended by the parties and their lawyers to reach agreement.

Early Neutral Evaluation (ENE) - an early neutral evaluator is appointed to give an opinion as to the likely outcome if matters were not resolved and went to arbitration or a court process. This can also be used in Consensus, Mediation and Collaborative Practice.

Private FDR - similar to ENE - used in arbitration or the court process as a way of getting an independent view on the likely outcome if matters cannot be resolved without a final hearing.

Decision made by others

Arbitration - an arbitrator is appointed by the parties to make a determination on issues privately, outside the court process. That agreement is then converted into a court order.

Court - depending on the issues involved, there is generally a three stage process - directions, dispute resolution hearing (or FDR) and a final hearing, at which the court makes a decision.

Meet our Consensus solicitors

Edward Cooke and Lauren Guy, both experienced family law solicitors, mediators and collaborative lawyers, are specially trained in our Consensus approach.

Following Resolution's "Resolution Together" model, they help couples approach separation in this collaborative way, using one lawyer.



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Definitions*

Resolution: An organisation for family law practitioners that encourages a proactive and constructive approach in all family related matters. www.resolution.org.uk

Consensus Lawyer: An experienced family lawyer and mediator who has been trained under the Resolution Together model to deliver Consensus - our one couple, one lawyer approach.

Family Consultant: A neutral third party with a therapeutic background, who is trained to support couples through their separation.

Financial Neutral: A neutral third party financial advisor who can offer support and advice to a couple through their separation.

Early Neutral Evaluator: A neutral third party who is instructed to provide an indication as to how the Court might approach issues that are in dispute in the hope that the parties will use this guidance to avoid any further litigation.

Consent Order: A legally binding Order made by the Court that records an agreement that has been reached by the parties.

Parenting Plan: A useful tool that helps separated parents agree and record arrangements for their children, including where the children live, go to school, and how the parents will make decisions in the future.

Separation Agreement: An Agreement that sets out how financial matters will be dealt with following a separation. Separation Agreements are not legally binding however they can be enforced by the Court if certain criteria have been met.

Final Divorce Order: Previously known as a Decree Absolute, this is the final Order made by the Court which legally ends a marriage or civil partnership.

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