

Mediation allows people to move on

A relationship breakdown can be deeply traumatic, more so if it comes out of the blue. Many may turn their thoughts to the Family Court.

However, Brendan Manning, principal of Manning Lawyers, says a high percentage of separations can be resolved through mediation – which should be approached carefully.

“Many separations can be resolved by agreement, but it’s important to wait until the shock has worn off,” he says.

“It generally takes someone three months to process the separation.”

Manning says most people are “basically lost at sea” and need someone to say, “This is how it works. This is what to expect”.

“Your lawyer can analyse your financial information and lay out your options.”

The right lawyer can also “act like a brake, stopping you from making costly, knee-jerk decisions, just by saying, ‘Hang on, it’s OK, we’ll sort it out.’”

Manning has practised family law for 25 years, has a master’s degree, broad experience in commercial law and can offer advice if there is a business involved in a family breakdown.

People may be unaware of how much their family business is worth, he says, because the accountant, lawyer and financial planner have dealt exclusively with their former partner.

What assets the business holds, what debts it owes, its client base, revenue or

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Brendan Manning

expenses, or even the product or service it sells may be unknown.

Going to court is such a daunting prospect, some people settle for a 50/50 split of assets just to avoid court, he says, while others either shy away or plunge in recklessly on the basis of information from family, friends and what they read online.

However, Manning says, there is no substitute for professional advice.

“It’s no good to realise in hindsight that your agreement was inadequate, incomplete, unfair and unworkable,” he says.

“Fixing a bad agreement, if even possible, is difficult, expensive and stressful. It’s important to get it right from the start.”

Moreover, there are many options available that don’t involve going to court. “Do you want to stop your partner selling the family home? Put a caveat on it to stop the sale,” he says.

“Going under with your mortgage? A moratorium on payments will stop the bank foreclosing on your home.”



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Manning’s son, Andrew, also a director of the firm, brings expertise in wills and estates to the table. “People who are re-partnering or making a second marriage will have wills and estate planning issues going forward, and my son and I have experience in that area.”

Brendan Manning says his firm’s aim is to help people achieve a reasonable

outcome; “something that allows them to move on”. The legal team are contactable 24/7 by mobile or email and support their clients throughout the process so they can “get their lives back in order”.

“They need to be feeling steady and know what they’re entitled to so they can negotiate effectively with their spouse,” he says.

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Don’t rely on the opinions of friends, neighbours or the internet in a dispute over a relationship breakdown or a will. Every situation is unique, and inadequate or wrong advice can make matters worse. Before you make big decisions, such as entering a dispute resolution process, get comprehensive legal advice about your entitlements from an experienced lawyer. With over 25 years’ experience, Brendan will ensure you receive personalised, expert legal advice so you can take control of your life.

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