

The Do's and Don'ts when relationships begin to strain abroad

By Lucy Greenwood

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DO's

DO go and see a specialist international family lawyer in the country where you reside as soon as possible. The meeting is for information gathering and confidential. You will feel empowered by doing so.

DO then consider doing the same exercise in the country where you and your spouse have the strongest connections. This is important as outcomes can vary in different countries and it's important to consider the best one for you (be it in terms of child arrangements or finances). Bear in mind your spouse or partner might be doing the same!

DO consider what your ultimate aims are and work with your local and foreign specialist international family lawyers to formulate a strategy to achieve this.

DO gather together information about the finances and make clear plans as to how any move abroad with the children would benefit them (over and above staying in their current country of residence). This means detailed practical issues e.g. schooling, healthcare, accommodation, your work opportunities and support network, as well as their emotional wellbeing e.g. near their friends and family etc.

DO then ask your specialist lawyers to help you draft any first letter to your partner or spouse regarding your feelings about the status of your relationship and your plans.

DO try to keep the children's passports safe and find your original marriage or civil partnership certificate.

DO visit an immigration specialist to check whether your immigration status might be impacted irreparably upon separation and or divorce.

DON'TS

DON'T just run off to your 'home' country or abroad with the children without the other parent's absolute unequivocal consent. This is likely to be deemed child abduction and can be a civil and criminal offence. There is also a highly effective piece of legislation called The Hague Convention which exists in many countries worldwide. This means you might be ordered to return to the country you left which then also makes it harder to relocate legitimately.

DON'T talk to your partner or spouse about your plans until you have spoken to specialist international family lawyers. This is potentially crucial for protecting your long-term position and a false move or admission at this stage might scupper your options irreparably. In Europe for example it is the first person to issue divorce that secures the country to determine the divorce and finances. Races to issue are not uncommon!

DON'T speak to others unless you feel you can trust them explicitly. It's easy to pour your heart out when you feel

vulnerable but living abroad might mean you are still learning fully whom you can trust for discretion.

DON'T panic if you receive divorce papers or notice of other court papers abroad. Instead send what you have received (quickly) to an international family law specialist in the country whose court issued the papers. How you respond to them can be vitally important.

DON'T rely on anecdotal advice about divorce or separation from others. Every couples' circumstances are different.

If you need any help or have any questions regarding your relationship breakdown, please contact Lucy Greenwood below

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