How we can help you

We are pleased to have provided specialist legal advice and services to the local Orpington community and further afield for over 40 years.

When you team our years of experience with our personalised service, you get something really quite unique. That's why we have the reputation for being approachable, realistic and understanding.

Our solicitors are here to talk to you about even the most complex legal matters, to listen to your needs and offer practical solutions. Whatever legal assistance you require, please get in touch to discuss how we can help.

Here to help with all of your legal requirements:

- Wills & Probate
- Conveyancing
- Personal Injury
- Employment
- Lasting Powers of Attorney
- Business services
- Family & Children
- Disputes

Accredited LEXCEL Practice Management Standard – The Law Society

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Accredited Children Law – The Law Society

Accredited Personal Injury – The Law Society

Accredited Conveyancing Quality Scheme (CQS) – The Law Society

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This guide is not a full statement of the law. Individual advice should be taken before taking any action. The information in this leaflet is of a general nature and may not reflect your individual circumstances. Please also note that details may change.

www.thomasdunton.co.uk

THOMAS DUNTON SOLICITORS

We are independent solicitors with a wealth of expertise and experience to assist with all your legal needs. Here are just some of the things our clients have said about us...

"You have been utterly brilliant when we needed you most."

"Wonderful and understanding. Guided me through the process and presented all the options in a way I could understand."

"Extremely helpful and efficient. Service provided was faultless from start to finish."

"Been a customer for years. Wouldn't go anywhere else."

"In this day and age of impersonal internet services, we feel lucky to have dealt with a firm which operates at the human level."

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THOMAS DUNTON SOLICITORS

Your guide to

Prenuptial Agreements

LOCAL PROFESSIONAL TRUSTED

In a world where more people are marrying later in life, second marriages are on the rise, and our younger generations are fiercely protective over the wealth they've worked hard to build before saying "I do", prenuptial agreements are becoming increasingly popular.

Here, we answer the most frequently asked questions about prenuptial agreements, and explain why it's important to seek the help of a solicitor.

What is a prenuptial agreement?

A prenuptial agreement (or "prenup") is a written agreement between two individuals, made before they get married. It outlines how any financial assets, debts, and other resources will be divided in the event of separation or divorce.

Why should I consider a prenup?

There are many reasons why a prenup is important, but we especially recommend it if you want to safeguard your assets acquired before marriage, e.g. property, savings, businesses, or inheritances. It will ensure these assets remain separate should your relationship break down in future.

Other reasons why you might want a prenup include:

- to outline how expenses, debts, and savings will be managed during your marriage. This often proves invaluable during divorce proceedings when dividing assets and liabilities, saving you significant time, money, and emotional distress during what can already be a very difficult time;
- to support estate planning, ensuring certain assets are distributed according to individual wishes, rather than being subject to default inheritance laws;
- ensuring any children from prior relationships are well looked after and their inheritance rights are protected;
- peace of mind that a plan is in place for any unforeseen circumstances, allowing you to focus on building a strong and happy marriage.

Can our prenup be changed in the future?

Yes. We suggest you review your existing prenuptial agreement, and consider a post-nuptial agreement if/when your circumstances change. A solicitor will be best advised to help you with this.

Is a prenup legally binding?

They are not automatically legally binding in the UK, but courts must give appropriate weight to them. If the requirements below are followed, your agreement will have more credence in court:

- both parties entered the agreement voluntarily, without pressure
- full financial disclosure was made by both parties
- each person received independent legal advice
- the agreement is fair and does not prejudice any children

Do I need a solicitor to draft my prenup?

While it is not a strict legal requirement, having a solicitor will help ensure the agreement is valid, fair, and more likely to be upheld by a court if challenged in future.

Although DIY prenups may be the cheaper, more attractive option, a properly drafted prenup can prevent misunderstandings and disputes in future, saving you time, stress, and any unwanted legal costs. A solicitor will also ensure the terms are clear, comprehensive, and tailored to your specific situation.

I'm apprehensive about asking for a prenup. How should I broach the subject with my partner?

Sensitively, emphasising it's about mutual protection, not mistrust. Drafting a prenup is a great way for you and your partner to have honest conversations from the outset, helping to build transparency and trust.

We recommend you start discussing the idea of a prenup well in advance of the wedding. Rushing the process can lead to undue pressure, which might invalidate the agreement.

Is there a specific time frame for prenups to be agreed?

Prenups should be completed at least 28 days before your wedding ceremony.

When should I involve a solicitor?

As early as possible during the planning process. This allows sufficient time for negotiation, drafting, and reflection.

If I have a prenup, do I still need to make a will?

Yes. While a prenup and a will both deal with assets and financial arrangements, they serve very different purposes. We recommend seeking legal advice for both.

Why Thomas Dunton?

Our family solicitors are both extremely knowledgeable and experienced when it comes to dealing with family law matters. We listen carefully to your needs and only ever have your best interests at heart.

While we fully appreciate a prenup is not the most romantic thing to think about when planning your big day, it is a practical and responsible step to protect you and your partner. Above all else we want to ensure you have clarity, security, and fairness should your relationship end in future.

We also have a wealth of expertise within the firm to assist with any other legal needs. So, when discussing your pre-nup, we can also advise on making or updating a will, inheritance planning and/or buying or selling a home should that be required.

For more information, please contact us on **01689 822554**, via email at **family@thomasdunton.co.uk**, or visit **www.thomasdunton.co.uk**