

Billy Ko

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Billy is a partner in the family team.

Billy advises on all aspects of family law including, but not limited to, divorce and separation, nuptial agreements, children custody, and complex financial disputes with substantial assets. He also focuses on cases involving complex asset holding structures and trusts, and advises wives, husbands and unmarried partners as well as other relevant parties, such as the grandparents on Wardship cases. Billy has advised clients who have international interests and has worked on a number of cases involving cross-jurisdictional issues.

Billy strives to make sure his clients get the very best integrated legal advice by often referring to local and international authorities. Recognizing the stress that his clients are going through, he adopts a pragmatic and sensible approach in all his cases, whilst responding to his clients' needs as timely as possible. Billy ensures clear lines of communications, ensuring information is shared openly to maximize efficiency.

Billy regularly advises shareholders of multimillion conglomerate as to the implications a divorce proceeding may have on them and also their businesses. If suitable, Billy also refers to legal principles laid down by leading English cases, which has helped his clients to achieve optimal out-of-court settlements. In many of the cases he deals with, Billy has the ability to think outside the box and be innovative in coming up with a strategy that showcases his legal knowledge in jurisdictions outside of Hong Kong to help his clients achieve their objectives.

When faced with non-complying or untrustworthy opponents, Billy has used his legal knowledge to obtain Court Orders for disclosure, like in *CC, YL v C, CSR FCMC 15718/2018 [2019] HKFC 329* with the view of achieving a fair and just resolution for his clients.

On the issue of construction of the "family pot", especially when it comes to more complicated issues like post-separation income and bonuses, and to minimise the risk of his client's wealth from being exposed by the divorce proceedings, Billy adopts arguments from recognised English authorities like *H v H (2007)(supra)*, *CR v CR [2008] 1 FLR 323*, *P v P [2008] 2 FLR 1135* and *B v B [2010] 2 FLR 1214*, whilst working closely with Queen's Counsel in

English and Wales and Senior Counsel in Hong Kong. Billy's all-rounded approach has often enabled him to achieve sensible financial outcomes for his clients.

In addition to financial settlements, Billy is also involved in children-related cases, as such cases involving relocation application have become very popular of late. Billy is currently representing one of the first Court of Appeal relocation cases in Hong Kong during the COVID-19 outbreak and it is anticipated that the judges in the Court of Appeal will be taking this opportunity to lay down guidelines as to how relocation cases should be dealt with during the pandemic.

Billy is a new generation of divorce lawyers and a strong believer that in this day and age, the term "family law" is no longer limited to divorce but also includes other areas such as guardianship and maintenance claims by certain qualified individuals. When it comes to maintenance claims, Billy acted for the applicant in *LYYC v CHL* and *CSMS, the Executrices of the Estate of CGSK also known as CSKG, Deceased FCMP 223/2017, [2020] HKFC 215* in seeking financial relief against the executrices of the estate of the deceased, who was a very well-known and wealthy businessman. Billy successfully obtained for his client maintenance pending suit and also legal funding against the estate of the deceased gentleman. This was a landmark decision in Hong Kong and the first of its kind.

Billy has contributed to a number of articles on family law for legal publications, such as *The Hong Kong Lawyer* and *STEP Journal*, and has conducted seminars focusing on family law. He is also a qualified collaborative practitioner and is a member of the Hong Kong Family Law Association.

Track record

Hong Kong chairperson

Acted on behalf of a chairlady of a listed company in Hong Kong. The size of the family asset is over HK\$1billion. As the majority of the family assets are held under a Cayman Islands trust, complicated legal issues were involved.

Mental Health Ordinance claim

Acting on behalf of a dependent making a monetary claim under the Mental Health Ordinance against the committee of a mentally incapacitated Person, being an extremely well known entrepreneur.

Tax proceedings

Acting on behalf of a client in her taxation proceedings against a top tier international law firm.

Talks

- *Protecting ones' wealth in the event of a divorce*, Dec 2021
- *Financial Issues on Divorce and Practical Tips in handling divorce cases*, Jun 2021
- *How one should prepare for 2021*, Mar 2021

- *Uncovering hidden assets in divorce proceedings*, Nov 2020
- *Webinar for Law Asia: Moot Competition*, Oct 2020
- *Withers webinar: Impact on divorcing couples during and after the pandemic*, Aug 2020
- *Managing Incapacity*, Jun 2020
- *Managing Incapacity in collaboration with JLT*, May 2020

External publications

'Transfer of property in a divorce settlement in Hong Kong' - May 2022, co-author

'How Enduring Power of Attorney works in Hong Kong and why it is useful' - Mar 2022, co-author

'Enforcement and recognition of matrimonial orders between Hong Kong and the Mainland' - Feb 2022, co-author

'Hong Kong and Singapore: Relocation in the time of Covid' - June 2021, co-author

'The financial (In)security of a mistress on the death of her benefactor' - November 2020, co-author

'The Risk of Dealing with Your Assets Prior to Divorce' - August 2020, author

'How to improve your relationships during a global pandemic' - July 2020, author

'Planning ahead in times of the Coronavirus' - March 2020, co-author

'Managing incapacity in Hong Kong's ageing population' - STEP Journal, January 2020, co-author

Admissions

Hong Kong SAR, 2010

Education

University of Hong Kong, PCL

University of Toronto, BA

University of Westminster, Graduate Diploma in Law

Languages

Cantonese

English

Memberships

Hong Kong Family Law Association

Law Society of Hong Kong

Key dates

Year joined: 2013

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