

How about Automatic Preservation Orders like New York

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Having been reminded in a recent update session about the Court's view on no-notice applications in the Family Division to stop a husband/wife from hiding assets or putting them beyond the Court's reach, it occurred to me that New York ('NYC') has got the answer. Since 2009, commencement of matrimonial proceedings have been accompanied by 'Automatic Orders' to protect the financial status quo. NYC preservation Orders will remain in place until the case has ended unless terminated, modified or amended by further Order of the Court. Here we could have an additional question/answer on the Acknowledgement of Service form requiring the Respondent to acknowledge receipt of the Automatic Order. Surely, this simple change to the Procedure/Rules would help deliver a level playing field and largely make Preservation Orders/Injunctions/Mareva extinct animals.