

1. Record Nr.	UNINA9910797362603321
Titolo	Delivering family justice in the 21st century // edited by Mavis Maclean, John Eekelaar, and Benoit Bastard
Pubbl/distr/stampa	Oxford ; ; Portland, Oregon : , : Hart Publishing Ltd., , 2015
ISBN	1-78225-972-4 1-78225-970-8
Descrizione fisica	1 online resource (384 p.)
Collana	Onati international series in law and society
Disciplina	346.015
Soggetti	Domestic relations
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes index.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	; Introduction -- The neoliberal context of family law reform in British Columbia, Canada : implications for access to (family) justice -- Rachel Treloar -- The revised family court system in New Zealand : secret justice and privatisation -- Bill Atkin -- Shaping substantive law to promote access to justice : Canada's use of child and spousal support guidelines -- Carol Rogerson -- Performing the Marriage Act straight : the legal regulation of marriage in the Australian civil wedding ceremony -- Becky Batagol -- National paths towards private ordering : professionals' jurisdictions and separating couples' privacy in the French and Canadian family justice systems -- Emilie Biland, Muiel Mille and Helene Steinmetz -- Family justice in Bulgaria : the old system and new demands -- Velina Todorova -- Family courts and family cases in Poland and other post-Communist countries -- Magorzata Fuszara and Jacek Kurczewski -- Paths to justice in divorce cases in England and Wales -- Rosemary Hunter, Anne Barlow, Janet Smithson and Jan Ewing -- Family lawyers and multi-agency approaches : why don't lawyers work with other service providers? -- Angela Melville, Karen Laing and Frank Stephen -- Family justice without courts : property settlement on separation using contracts in Scotland -- Jane Mair, Fran Wasoff and Kirsteen Mackay -- Access to justice in Spain in times of austerity, with special reference to family justice -- Teresa Piconto-Novales -- Legal aid, fundamental rights and family issues -- Encarna Roca Trias -- Taking responsibility? : legal aid

reform and litigants in person in England -- Liz Trinder -- Access to justice in hard times and the deconstruction of democratic citizenship -- Hilary Sommerlad -- Casualties of friendly fire : counter productive campaigning on public funded legal services -- Peter G. Harris -- Controlling time? : speeding up divorce proceedings in France and Belgium -- Benoit Bastard, David Delvaux, Christian Mouhanna and Frederic Schoenaers -- When is a family lawyer a lawyer? -- Lisa Webley -- New ways to seek legal information and advice on family matters in England and Wales : from professional legal services to Google and private ordering -- Mavis Maclean -- Can there be family justice without law? -- John Eekelaar.

Sommario/riassunto

Family justice requires not only a legal framework within which personal obligations are regulated over the life course, but also a justice system which can deliver legal information, advice and support at times of change of status or family stress, together with mechanisms for negotiation, dispute management and resolution, with adjudication as the last resort. The past few years have seen unparalleled turbulence in the way family justice systems function. These changes are associated with economic constraints in many countries, including England and Wales, where legal aid for private family matters has largely disappeared. But there is also a change in ideology in a number of jurisdictions, including Canada, towards what is sometimes called neo-liberalism, whereby the state seeks to reduce its area of activity while at the same time maintaining strong views on family values. Legal services may become fragmented and marketised, and the role of law and lawyers reduced, while self-help web based services expand. The contributors to this volume share their anxieties about the impact on the ability of individuals to achieve fair and informed resolution in family matters
