

International Comparative Legal Guides



Family Law 2020

A practical cross-border insight into family law

Third Edition

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1 Divorce

1.1 What are the grounds of jurisdiction for divorce proceedings? For example, residence, nationality, domicile, etc.?

In domestic cases, the courts at the domicile of one of the two spouses have sole jurisdiction to rule on any application based on family law as well as on requests for provisional measures.

In cases with an international context, the following courts have jurisdiction to hear divorce proceedings: the Swiss courts of the respondent's domicile; the Swiss courts of the petitioner's domicile, if the petitioner has resided in Switzerland for one year at least or is a Swiss national; and, where the spouses are not domiciled in Switzerland and one of them is a Swiss national, the courts of the place of origin will have jurisdiction if the proceedings cannot be brought in the forum of another jurisdiction (domicile of one of the spouses) or if the parties cannot reasonably be required to bring the action in a non-Swiss forum.

1.2 What are the grounds for a divorce? For example, is there a required period of separation, can the parties have an uncontested divorce?

If the spouses have reached full agreement in principle regarding divorce, they may at any time petition for divorce by joint application and produce a complete or partial agreement on the effects of the divorce (parental rights, child maintenance, spousal maintenance, liquidation of the matrimonial regime, division of the pension rights), in which case the judge will resolve the aspects as to which the parties still disagree.

In the absence of an agreement in principle between the spouses regarding divorce, one spouse may apply on his or her own for divorce if the spouses have lived apart for at least two years. A spouse may also petition for divorce before expiry of the two-year period if there are serious reasons beyond his or her control rendering continuation of the marriage untenable, but the conditions for this are extremely restrictive.

1.3 In the case of an uncontested divorce, do the parties need to attend court and is it possible to have a "private" divorce, i.e. without any court involvement?

It is not possible to undergo a "private" divorce without the intervention of a court.

Even in cases in which both parties are in full agreement, the spouses must appear in person at a divorce hearing.

The judge is required to hear them separately, then together, and must ensure that they have filed their application and concluded their agreement willingly and after careful consideration and that the agreement and conclusions relating to their children can be approved before the decree is issued.

1.4 What is the procedure and timescale for a divorce?

The Swiss Code of Civil Procedure provides for special procedural rules for family law disputes. One of the peculiarities of Swiss procedure is that matters relating to children and the question of the spouses' pension rights must be examined *ex officio* by the judge, regardless of the position of the parties or even where the parties have reached agreement on these subjects.

An amicable divorce can be finalised within a few months, while a contentious divorce can take several years in Geneva.

1.5 Can a divorce be finalised without resolving other associated matters? For example, children and finances.

In principle, in its decision, the court also rules on the associated effects of the divorce.

The general rule is that the court's ruling in divorce matters is global in scope.

However, a partial decision limited to the principle of divorce does not violate this principle.

Where they are able to show good cause, the spouses may request the court to rule in separate proceedings on the termination of their matrimonial regime. The allocation of their pension rights may also be referred in its entirety to separate proceedings where pension rights abroad are concerned and a decision on the division of such rights can be obtained in the State in question.

Moreover, a divorce may be finalised in Switzerland without the questions relating to children being settled, where general jurisdiction over matters relating to children are vested in the authorities at the place of the child's habitual residence.

1.6 Are foreign divorces recognised in your jurisdiction? If so, what are the procedural requirements, if any?

Subject to existing international Conventions between Switzerland and the other countries in question, as a general principle, foreign divorce decisions are recognised in Switzerland when they have been rendered in the country of the spouses' domicile or habitual residence, or in the national courts of the state of one of the

spouses' nationality, or if they are recognised in one of these countries. However, a decision rendered in a country of which neither of the spouses or only the petitioner is a national will only be recognised in Switzerland in the following cases: if at the time the application is made, at least one of the spouses was domiciled or had his or her habitual residence in that state and the respondent was not domiciled in Switzerland; where the respondent has submitted to the jurisdiction of the foreign court without reservation; or where the respondent has expressly consented to the recognition of the decision in Switzerland.

However, Swiss courts will refuse to recognise a foreign divorce if it violates Swiss public policy.

In practice, in order to obtain recognition of a foreign divorce decree, it will be necessary to contact the competent civil registry office in Switzerland and submit the requisite documents in order to register a divorce decree issued abroad on the Swiss civil registry.

1.7 Does your jurisdiction allow separation or nullity proceedings?

An action for spousal separation is possible under Swiss law (request for provisional measures to protect the conjugal union) and is common in practice, in view of the two-year separation period spouses are required to comply with before unilaterally initiating divorce proceedings.

A marriage may also be annulled under certain special and restrictive conditions (for example: one of the spouses lacked mental capacity or was under duress at the time of contracting marriage).

1.8 Can divorce proceedings be stayed if there are proceedings in another country?

Divorce proceedings initiated in Switzerland can be stayed if divorce proceedings have already been initiated abroad and it is expected that, within a reasonable timeframe, they will lead to a decision that is capable of being recognised in Switzerland (also see question 1.5 above).

2 Finances on Divorce

2.1 What financial orders can the court make on divorce?

Financial orders that can be made include: spousal and child maintenance support arrangements; division of the spouses' pension rights accrued during the pendency of the marriage; division of marital assets (which may involve the sale of a property); and provisional measures (freezing of bank accounts, rendering of accounts).

2.2 Do matrimonial regimes exist and do they need to be addressed by the court on divorce? Is there a default matrimonial regime?

Yes: the regime of joint property (default regime); the regime of community property; and the regime of separate property. In the event of divorce, the matrimonial regime applicable to the spouses must be terminated.

2.3 How does the court decide what financial orders to make? What factors are taken into account?

Child support is determined based on the financial situation of the parents and the children and the agreed custody arrangements.

Spousal maintenance is determined based on the specific circumstances of the case (in particular the length of the marriage, division of labour, childcare) and the financial situation of the parties (family income and expenses, lifestyle during marriage, savings, debts, hypothetical income and earning capacity (in particular according to age, health, education, professional experience, wealth, expectations, etc.).

With regard to the spouses' pension rights and termination of the matrimonial regime, Swiss law provides rules governing how these aspects should be dealt with by the judge.

2.4 Is the position different between capital and maintenance orders? If so, how?

The rule is that maintenance contributions are to be paid in the form of a monthly "pension". Under certain conditions (very strict in the case of child support), maintenance can be settled in the form of a capital/lump sum payment. The main difference between these two options is that "pensions" automatically terminate by law under certain conditions (death of one of the spouses or remarriage of the spouse) or may be modified upon the request of a spouse based on changed circumstances, whereas a capital payment will remain due in any event, as it is intended as a final settlement payment covering the financial relations between the spouses. A capital payment has also significant tax consequences.

2.5 If a couple agrees on financial matters, do they need to have a court order and attend court?

Yes, wherever the parties' agreement is related to a divorce, the courts must always be involved.

2.6 How long can spousal maintenance orders last and are such orders commonplace?

This depends on the circumstances of the case (spouse's occupation during the marriage, age, training, experience, childcare, expectations, etc.). In general, a maintenance contribution will be ordered for a limited period of time, the rule being that the creditor may acquire financial autonomy within a reasonable timeframe. Nevertheless, depending on the circumstances of the case, a judge may order the payment of maintenance until a spouse's retirement, or even beyond.

2.7 Is the concept of matrimonial property recognised in your jurisdiction?

Yes (see question 2.2 above).

2.8 Do the courts treat foreign nationals differently on divorce, if so, what are the rules on applicable law? Can the court make orders applying foreign law rather than the law of the jurisdiction?

A court may have to apply foreign law if the spouses elected such law, which may be that of the state in which they are both domiciled or will be domiciled after contracting marriage, or the law of the state of which one of them is a national. In the absence of a choice of law, the court will have to determine the applicable law, which is governed by the law of the state in which both spouses are domiciled at the same time or were last domiciled at the same time.

A Swiss judge will apply foreign law unless it violates Swiss public policy.

A Swiss judge may also apply the foreign law of the children's habitual residence when determining support contributions for children. Similarly, before granting the divorce, the court will apply the law of the creditor's habitual residence when determining the pension due between spouses.

With regard to questions relating to spousal pension rights accumulated in Switzerland, exclusive jurisdiction is vested in the Swiss courts, which will apply Swiss law in this context.

2.9 How is the matrimonial home treated on divorce?

The Swiss courts will include the matrimonial home owned in common by the spouses in their decision on terminating the matrimonial regime. Generally, one of the spouses will agree to buy back the other's share of the asset owned in common. Where the parties fail to reach agreement as to the price, the judge will order the property to be sold at auction. Alternatively, the judge may also award usage of the property to one of the spouses, for a limited period of time and in return for compensation, if this is justified by the presence of children or other important reasons. If the family home is rented by the spouses, the judge can transfer its use (during the separation proceedings), then the lease itself (during the divorce proceedings), to one of the spouses, usually the one who is awarded custody of the children.

2.10 Is the concept of "trusts" recognised in your jurisdiction? If so, how?

Yes, following Switzerland's ratification of the Hague Convention of 1 July 1985 on the Law Applicable to Trusts and on their Recognition, trusts have become fully recognised in Swiss law.

However, the Swiss legislature has not developed specific rules relating to trusts; foreign law trusts are an autonomous concept, and it is not considered necessary to categorise them according to similar concepts in Swiss domestic law.

The Swiss Private International Law Act governs questions of jurisdiction and applicable law.

2.11 Can financial claims be made following a foreign divorce in your jurisdiction? If so, what are the grounds?

Yes, Swiss courts have jurisdiction to hear requests aimed at completing or modifying a divorce decree, either if the decree was rendered by a Swiss court or if the respondent is domiciled in Switzerland, or if the petitioner has resided in Switzerland for at least one year.

In order to request modification of a divorce decree, new facts must be alleged.

In addition, questions relating to division of the spouses' pension rights now fall within the exclusive jurisdiction of Swiss courts. Any related decision rendered by a foreign court after 1 January 2017 in this context must be supported by a supplemental decision of the Swiss courts on the question of the spouses' pension rights.

2.12 What methods of dispute resolution are available to resolve financial settlement on divorce? E.g. court, mediation, arbitration?

Family mediation is increasingly advocated by the judicial authorities. In the context of a family law dispute involving children, the judge now has the option of ordering mandatory mediation. The judge

may also require the parties to seek therapy in order to improve communications between the parents.

3 Marital Agreements

3.1 Are marital agreements (pre and post marriage) enforceable? Is the position the same if the agreement is a foreign agreement?

Swiss law does not prescribe any binding form for pre- or post-nuptial contracts, except for those aimed at selecting a matrimonial regime.

The contract will have to be approved by the family court judge in the divorce proceedings. The judge may decide not to approve the contract because he considers it manifestly unfair or because a spouse objects to this at the time of the divorce.

Thus, a foreign marital contract will be recognised with regard to the matrimonial regime (provided that the choice of law is valid, and subject to any public policy concerns), but will in any case be subject to the judge's ruling on the other points.

3.2 What are the procedural requirements for a marital agreement to be enforceable on divorce?

The judge must conduct a hearing and establish that the spouses have made their marital agreement willingly and after careful consideration and that it is not manifestly unfair. In matters relating to children, the judge has free discretion.

3.3 Can marital agreements cover a spouse's financial claims on divorce, e.g. for maintenance or compensation, or are they limited to the election of the matrimonial property regime?

An agreement is not limited to the election of the matrimonial regime and may also cover the spouses' maintenance or contribution rights, but in order to be valid as to the latter point the parties' agreement must be approved by the divorce judge. However, in practice, marital contracts under Swiss law will usually cover all matters relating to the associated effects of divorce.

4 Cohabitation and the Unmarried Family

4.1 Do cohabitants, which do not have children, have financial claims if the couple separate? What are the grounds to make a financial claim?

No. The only claims that can be asserted by cohabitants are the standard claims (co-ownership, loans, simple partnership, etc.), but it is not, for example, possible for a cohabitant to claim a pension from his or her cohabitant.

4.2 What financial orders can a cohabitant obtain?

In addition to claims under standard law, a partner who has ceased working or reduced his occupational activity in order to care for children may indirectly obtain a pension for his own expenses (see question 5.1 below *re* care contribution).

4.3 Is there a formal partnership status for cohabitants (for example, civil partnerships, PACS)?

No. It should be noted, however, that some cohabitants choose to sign a private contract to govern the financial terms of their unmarried partnership.

4.4 Are same-sex couples permitted to marry or enter other formal relationships in your jurisdiction?

Same-sex couples cannot marry but may enter into a registered partnership, which is an institution similar to marriage with comparable effects.

5 Child Maintenance

5.1 What financial claims are available to parents on behalf of children within or outside of marriage?

Since 2017, Switzerland has sought to put children of married and unmarried parents on an equal footing by establishing that in addition to direct costs (rent, health insurance, food, clothing, schooling fees, transport, extracurricular activities, etc.), child support must now also cover the “subsistence costs” of the custodial parent who has given up his or her job – or who has reduced his or her hours of work – to take care of the child; this is called the “care contribution”. The notion of “subsistence costs” is indeterminate and may include different costs depending on the financial situation of the parties, but includes at least the rent expenses of the custodial parent, his or her health insurance, a lump sum for current expenses (food, clothing, etc.) and a bus pass.

5.2 How is child maintenance calculated and is it administered by the court or an agency?

If the parents disagree, decisions on child maintenance are vested in the courts. The method used depends on the family’s financial situation; where the family is well-situated financially, the maintenance payment will be set in such a way that the child’s full effective costs are covered, the idea being that he or she should benefit from the comfortable lifestyle of at least one parent. On the other hand, if the family’s financial situation is not as strong, the amount of the contribution payment will be limited and will include a contribution to the custodial parent’s rent, health insurance and a lump sum for current expenses (food, clothing, etc.).

It should be noted that the parent ordered to pay contributions must be able to cover his or her own basic expenses (rent, health insurance, general living expenses) after payment of the contribution; if this is not the case, child support will be reduced accordingly, or may even be suspended if the paying parent’s income is insufficient to cover these expenses. When appropriate, the “care contribution” is added to these costs (see question 5.1 above).

5.3 For how long is a parent required to pay child maintenance or provide financial support for their children? For example, can a child seek maintenance during university?

Child maintenance is payable until the child reaches 18 years of age, or until he or she completes regular and seriously pursued vocational training or university studies, but, in principle, until no later than the age of 25. After the child reaches the age of majority, the paying parent has the option of requesting cancellation of the support

payments in certain circumstances (typically if he or she no longer has contact with the child).

The “care contribution” (see question 5.1 above) decreases gradually as the child progresses through school, as the custodial parent is expected to gradually return to gainful work as the child grows up (in principle: when the youngest child enters compulsory school, the parent may return to work on a 50% basis; this rises to 80% when the child enters secondary school and then 100% when the child reaches the age of 16).

5.4 Can capital or property orders be made to or for the benefit of a child?

The general rule is that child support is paid out in monthly instalments. By way of exception (for example, if the paying parent does not wish to have any contact with the child in the future) and under certain conditions (specifically, where a judge has approved this), the payment of a lump sum *in lieu* of monthly instalments may be agreed by the parties, but this will not be ordered by the judge.

5.5 Can a child or adult make a financial claim directly against their parents?

As long as he or she is a minor, the child cannot make a claim on his or her own against his parents and has to be represented in order to do so, either by one of his parents (with legal custody) in an action against the other parent, or by a curator named by the Court upon the child’s request.

Once he turns 18, the child can act on his or her own.

In the event that the child comes of age during the proceedings, the parent or guardian who claimed child support even after the child’s majority may continue to act on his or her behalf, subject to the child’s – and the judge’s – approval.

6 Children – Parental Responsibility and Custody

6.1 Explain what rights of custody both parents have in your jurisdiction whether (a) married, or (b) unmarried?

Since 1 July 2014, joint legal custody has been the rule, whether or not the parents are married.

Married parents at the time of the child’s birth automatically benefit from joint legal custody. In the case of unmarried parents, a declaration of joint legal custody must be filed with the civil registry office.

Legal custody means that parents have to make important decisions concerning the child jointly (surname, first name, custody, habitual residence, education, religion, health, representation, administration of the child’s property, etc.). In regards to everyday matters (leisure activities, food, clothing, etc.) or urgent matters, however, the parent who cares for the child can make the decisions on his or her own. Similarly, if the other parent cannot be reached despite reasonable efforts by the first parent, the first parent can decide.

By way of exception, the general rule of joint legal custody will not apply if the child’s welfare requires this (sole parental custody).

Legal custody must be distinguished from physical custody. With regard to physical custody, the judge must assess whether alternating custody is in the child’s best interests, based on several criteria, including the equivalent parental capacity of the parents, the geographical location and distance from the parents’ place of residence, the ability and willingness of each parent to promote contact between the child and the other parent, the stability that this

solution would bring, the child's age, his or her preferences, etc. These assessment parameters apply to both married and unmarried parents.

In the event of exclusive physical custody being granted to one of the parents, access rights will be granted to the non-custodial parent (usually every other weekend and half of the school holidays; the judge has free discretion in this respect).

6.2 At what age are children considered adults by the court?

At the age of 18.

6.3 What is the duration of children orders (up to the age of 16 or 18 or otherwise)?

In principle, decisions relating to children are applicable until they reach the age of majority.

Nevertheless, judges will regularly order maintenance contributions for children up to the age of 18, or even up to the age of 25 where the child is pursuing regular and serious studies.

6.4 What orders can the court make in relation to children? Does the court automatically make orders in relation to child arrangements in the event of divorce?

The judge acts *ex officio* with respect to children; this means that he or she must necessarily consider all matters relating to children and has free discretion in this regard, even if the parents agree. The main points to be settled are: legal custody; physical custody (alternating or not, see question 6.1 above); visitation rights; and maintenance.

The law provides that the child may be heard by the judge (who may also delegate the hearing of the child to the child protection services) in the context of the parents' divorce proceedings. A legal guardian may be appointed to represent the child.

6.5 What factors does the court consider when making orders in relation to children?

The judge's decisions must be governed by the best interests of the child. For rulings on physical custody, the judge must examine, notwithstanding any potential agreement by parents, whether the envisaged custodial arrangement is compatible with the child's well-being and stability, taking particular account of the parents' living arrangements. The welfare of the child is the fundamental rule in allocating parental rights, with the interests of the parents relegated to secondary place.

6.6 Without court orders, what can parents do unilaterally? For example, can they take a child abroad?

When parents have joint legal custody, the right to determine the child's place of residence belongs to both parents. If one parent is thinking of moving abroad with the child, the agreement of the other parent is necessary. This agreement can be reached amicably. However, if the parents cannot agree on this point, the decision is one for the judge or child protection services.

A parent exercising sole legal custody may make any decision relating to the child on his or her own; if he or she wishes to change the child's place of residence; however, he or she must inform the other parent in good time.

6.7 Is there a presumption of an equal division of time between separating or divorcing parents?

No. Swiss law distinguishes between joint legal custody, which is now the rule, and alternating physical custody. Since 1 January 2017, courts have been required to consider the possibility of alternating custody, in the light of what is best for the child (see question 6.1 above).

Alternating custody is thus not the most frequent model, but balanced participation of both spouses in the daily care of the child is encouraged.

6.8 Are unmarried parents treated in the same way as married parents when the court makes orders on separation or divorce?

With regard to the subject-matter jurisdiction of the court over matters relating to children, no. The jurisdiction of the authorities differs depending on whether the parents are married or not, and whether or not the question of child support is involved. For instance, if unmarried parents only intend to litigate parental rights, they must turn to a child protection court. On the other hand, if one of the unmarried parents files a maintenance application, the civil judge will be competent to rule on all matters relating to the child.

With regard to the merits, married or unmarried parents are not treated differently financially when it comes to children. One of the aims of the new law which came into force on 1 January 2017 was to eliminate discrimination against children of unmarried parents relative to children of married or divorced parents, by including the cost of their care in the calculation of the maintenance contribution for the child.

With regard to parental rights, parents who are married at the time of the child's birth automatically benefit from joint legal custody. In the case of unmarried parents, the father must recognise the child with the civil registry office and file a declaration of joint legal custody together with the other parent.

6.9 Is a welfare report prepared by an independent professional or is the decision taken by the Judge alone? If so, does the child meet the Judge?

In divorce or separation proceedings, the judge must hear the child before making a decision, provided that the young age or other good reasons do not militate against this.

The judge may also delegate the hearing of the child to the child protection service, asking it to draw up a report (which is very often the case in practice). The report informs the judge as to the current situation of the family and helps him or her to form an opinion on issues relating to the allocation of parental rights and the organisation of personal relations. It also informs the judge whether protective measures are necessary to safeguard the child's interests.

In practice, when the question of custody is not contentious between the parents, the judge waives the right to hear the child, unless he or she has doubts about the position adopted by the parents (see question 6.1 above).

If a hearing of the child is carried out, this must be done in a proper fashion. In practice, the judge will order a hearing of the child by the competent protection services authority, but not before the child is six years old.

However, the child may refuse to be heard and may also object to a record of his or her hearing being kept. From the age of 11–12 years, the child can ask to be heard.

6.10 Is there separate representation for children in your jurisdiction and, if so, who would represent them, e.g. a lawyer?

Yes, the judge must consider whether a legal guardianship should be ordered to represent the child, in particular if the parents file different submissions relating to the child's fate (including child support), if the child or the child's parents or protection services so request, or if the judge has doubts as to the merits of the parents' joint submissions or considers ordering a protective measure for the child. At the request of a child that is capable of judgment (in principle, where the child is 11 years of age or older), the judge appoints a legal guardian. Under Swiss law, the judge must appoint a guardian experienced in the field of legal assistance (e.g. a social worker, a child psychologist or a lawyer).

6.11 Do any other adults have a say in relation to the arrangements for the children? E.g. step-parents or grandparents or siblings. What methods of dispute resolution are available to resolve disputes relating to children?

No, not in a litigation context. However, a mediator might consider integrating the extended family circle into the mediation; this will depend on the agreement between the parties.

The relatives of a child may also be heard by child protection services in connection with their preparation of the report that may be requested by the court in the course of litigation.

With regard to conflict resolution in matrimonial proceedings, the judge may urge the parties to mediate. But mediation can now also be ordered as a child protection measure. In addition, maintenance proceedings brought by an unmarried parent are always preceded by conciliation.

In general, a negotiated solution should be encouraged wherever possible.

7 Children – International Aspects

7.1 Can the custodial parent move to another state/country without the other parent's consent?

Only if the custodial parent has exclusive legal custody. The other parent must be informed in good time prior to the departure.

When parents have joint legal custody, the agreement of the other parent or the judge is required.

7.2 Can the custodial parent move to another part of the state/country without the other parent's consent?

Only if the custodial parent has exclusive legal custody.

Otherwise, and if the move to a different part of the country has significant impacts on the exercise of legal custody by the other parent and on the child's personal relationships, then the agreement of the other parent or the judge is required.

7.3 If the court is making a decision on relocation of a child abroad, what factors are taken into account?

The interests and wellbeing of the child are taken into account. It is generally in the child's best interests to continue to be cared for by his or her primary attachment figure and therefore to remain in Switzerland or move abroad with the latter, provided that this

comports with effective care arrangements, taking account of the child's age and wishes.

If both parents are considered primary attachment figures, as in the case of alternating custody, other criteria will be taken into account such as, *inter alia*, the parents' educational capacities, their ability to effectively take care of the child, the stability of family relations, the child's wishes in light of his or her age and maturity, the language or the child's schooling.

7.4 If the court is making a decision on a child moving to a different part of the state/country, what factors are taken into account?

See question 7.3 above.

7.5 In practice, how rare is it for the custodial parent to be allowed to relocate internationally/interstate?

If one parent has sole custody and the relocation is in the child's best interests, he or she will, in principle, be allowed to take the child abroad.

7.6 How does your jurisdiction deal with abduction cases? For example, is your jurisdiction a party to the Hague Convention?

Switzerland is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

8 Overview

8.1 In your view, what are the significant developments in family law in your jurisdiction in the last two years?

Significant development in Swiss family law include:

- The new child maintenance law that came into force on 1 January 2017 (including: equality as between children of married and unmarried parents; introduction of the care contribution; and priority of the contribution for a minor child).
- New law on the division of the spouses' pension rights upon divorce (in particular, exclusive jurisdiction of Swiss courts where occupational pension rights have been accumulated in Switzerland).
- Possibility of adoption of the child of one's partner or registered partner.

8.2 What are some of the areas of family law which you think should be looked into in your jurisdiction?

- Better standardisation of the methods of calculating maintenance contributions.
- Standardisation and clarification of the introduction of alternating custody.
- Promotion of collaborative and multidisciplinary support as between the various stakeholders (psychologists, lawyers, magistrates, mediators, etc.).
- Necessary developments in the law of cohabitants and the law of registered partners.



Sonia Ryser (Certified Specialist SBA Family Law) is a specialised family law lawyer and practises in all areas of family law. Her particular specialities include: marriage and divorce proceedings; and all matters involving children, in particular international proceedings relating to the abduction of children or adoption proceedings.

She also advises on matrimonial planning, particularly pre-nuptial agreements with a national or international context.

She often participates and speaks at different conferences on family law around Europe.

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- Swiss Lawyer Federation.
- Lawyer and Specialized Lawyers Association SBA Family Law VF/FA.
- International Association of Family Lawyers (IAFL).

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Borel & Barbey provide advice to their clients in the areas of pre-nuptial planning and family estate law, both in the domestic Swiss and international context.

Borel & Barbey support and represent their clients in court in various types of family law matters, such as marital protective measures, divorce proceedings, guardianship and actions under filiation law (parental rights, maintenance contributions).

As a result of its multidisciplinary approach, our firm has the necessary expertise to undertake a full analysis of the collateral effects of any change of parties' civil status, in particular as regards tax and immigration rules. Following a survey of 7,200 attorneys, 450 in-house lawyers, the general counsels of the 500 largest companies in Switzerland and clients, Borel &

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