



Divorce Procedure

Marriage Irretrievably Broken Down

Prove one of the following five facts:

- Adultery - this must have taken place no more than six months before separation.
- Unreasonable Behaviour - i.e. what is unreasonable to the party bringing proceedings?
- Desertion for a continuous period of two years.
- Living apart for a continuous period of two years - both parties must agree to divorce.
- Living apart for a continuous period of five years.



Apply for Divorce by completing Divorce Petition

- The person who starts divorce proceedings is known as 'the Petitioner'.
- Their spouse is called 'the Respondent'.
- The Petition is a legal document giving names, addresses, occupations, the date and place of marriage and stating briefly why you seek a divorce.



Divorce Petition sent to the Court and the Respondent

- The Court requires payment of a £300 fee.



The Respondent has 14 days to acknowledge receipt of the Petition

- This is done by completing the answers to the questions on the Acknowledgement of Service Form and sending it back to the Court.



Apply for Decree Nisi

A judge will look at the Petition and decide whether you are entitled to a divorce.
The judge issues a certificate giving notice of date Decree Absolute can be applied for.



Petitioner Applies for Decree Absolute

6 weeks and 1 day after Decree Nisi

Court requires payment of a £40 fee

If the Petitioner does not apply, the Respondent can apply 3 months after the
6 weeks and 1 day has elapsed.

Decree Absolute Pronounced

In most cases the parties do not need to attend Court in person.

If undefended, the process usually takes 6 months from Petition to Decree Absolute.

Children Issues

Children's issues can be started at any time before or during the divorce.

Decree Nisi can be delayed if there are arguments over living arrangements or contact

Decree Absolute may not be granted if arrangements for children are not satisfactory

Financial Matters

Financial matters can only be started once the divorce has been filed.

The court cannot make a final order before Decree Nisi

The order can only take effect on Decree Absolute.

For more information and for details of our services, please visit us at www.harveyingram.com or contact us:



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