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Dissolving a Marriage

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A divorce has to be obtained to bring a marriage to a legal end under the Matrimonial Causes Act 1973.

- You cannot apply for a divorce until you have been married for a period of at least one year.
- The document that has to be completed and filed with the court to begin the process is a Divorce Petition.
- Either party to the marriage may petition on the ground that the marriage has **broken down irretrievably**.

This has to be supported by one of the following 5 facts:

- Adultery;
 - Unreasonable behaviour;
 - Desertion for a period of two years or more;
 - Two years' separation, with both parties consent;
 - Five years' separation, without consent.
- The current court fee to issue a Divorce Petition is £550.
 - At court the divorce petition will be considered by a judge without any hearing or attendance by the parties. If the judge agrees that the petition shows cause for a divorce the petition is sent to the Respondent for an acknowledgement to be completed and returned to the court.

- If the Respondent consents to the divorce, a copy of the acknowledgement form is then sent to the Petitioner who then has to file a statement confirming the contents of the divorce petition and the fact that the divorce is to proceed.
- The Statement is lodged at the court with a request for the decree nisi to be granted.
- A date for the decree nisi is listed and it will be granted on this date without any need to attend court.
- Six weeks and one day after the decree nisi, the final decree can be applied for by the Petitioner. The decree absolute is the last stage of the legal process that ends the marriage. Once this has been granted the marriage is legally brought to an end and the parties are divorced. It is only at this point the parties are free to remarry.

Divorce can take as little as four to six months from beginning to end, if the parties act expeditiously and the court processes are efficient.

For more information please contact:



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