

Mackrell

Family Law

Dissolving a Marriage



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A divorce has to be obtained to bring a marriage to a legal end under the Divorce, Dissolution and Separation Act 2020.

The rules are:

- You cannot apply for a divorce until you have been married for a period of at least one year.
- To begin the process, the applicant files for a divorce online. The applicant must provide a statement of irretrievable breakdown with the application.
- Each party can apply for divorce, or alternatively, the parties may make a joint application.
- The current court fee to issue a divorce application is £612.
- At court, the divorce application will be considered by a Judge without any hearing or attendance by the parties. The divorce application is then sent to the respondent within 28 days of the issue date for acknowledgement to be completed and returned to the court.
- The 20 week cooling off period then begins and the applicant receives a notice to file for Conditional Order.
- At the end of the 20 weeks, the applicant applies for the Conditional Order and a Judge will review this. A pronouncement date is then set.
- The Final Order can be applied for six weeks and one day after the Conditional Order pronouncement date.
- One to three days later, the Final Order is granted and the divorce is finalised.

This is a new streamlined online process which is not without its pitfalls and we would suggest anyone contemplating divorce seek professional advice.

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