

The Standard Divorce Process

Seek advice from a solicitor

Draft Divorce Petition or Application for Dissolution of Civil Partnership

File Petition/Application at Court with the relevant fee (NB you will need to send your original marriage certificate)

Court issues sealed Petition/Application

Respondent files Acknowledgement of Service

Petitioner applies for Decree Nisi

Decree Nisi is pronounced

If you have financial matters to resolve this should be done before applying for Decree Absolute

Application for Decree Absolute

Decree Absolute is pronounced

Consider how you will pay for your legal fees. If you believe you may be entitled to Legal Aid please note that there are strict and narrow criteria for eligibility. Teelan & Silwal Family Law Limited do not deal with publicly funded (Legal Aid) cases but can recommend a Legal Aid solicitor to you, should you be eligible.

There are strict rules around service so it is important to ensure that the Petition is properly served on the other party to ensure the process may proceed smoothly.

Sometimes the process can be complicated by the Respondent defending or contesting the divorce or dissolution. This is usually resolved at a directions hearing, allowing the process to continue without a final hearing.

Judge considers whether application is valid and may request further information before proceeding.

A judge will also consider whether it is appropriate to make a costs order, provided you have applied for costs in the Petition.

You must wait 6 weeks and 1 day from the date of Decree Nisi before applying for Decree Absolute.

