

The Divorce & Dissolution Process

The person who starts the divorce/dissolution proceedings is known as the “Petitioner” and their spouse/civil partner is known as the “Respondent”.

1. The Petitioner will complete a **Divorce/Dissolution Petition**. Within the petition the Petitioner will cite one of the following facts to establish that the marriage/civil partnership has irretrievably broken down:-
 - a. your spouse has committed adultery and you find it intolerable to live with them (Divorce only);
 - b. your spouse/civil partner has behaved in such a way that you cannot reasonably be expected to live with them;
 - c. You have been separated for a period of two years and you each consent to a divorce/dissolution;
 - d. Desertion;
 - e. You have been separated for a period of five years or more.



The Petitioner will send the petition with the Court fee of £410 and their original marriage/civil partnership certificate to their **local Family Court**. You can find your local Court at <https://courtribunalfinder.service.gov.uk>.



2. The Court will send a copy of the petition to the Respondent together with the **Acknowledgment of Service form**. The Respondent is to return this form to confirm whether he/she intends to defend the proceedings and whether who pays for the divorce is agreed.



3. The Petitioner will then file two documents with the Court; a **Statement in Support of the Divorce/Dissolution Petition** and the **Application for the Decree Nisi (divorce) or Conditional Order (civil partnership dissolution)**.



4. If the Court is satisfied that the Petitioner is entitled to a divorce or dissolution and the proceedings and/or costs are not defended the Court will pronounce a date for **Decree Nisi/Conditional Order** – the first ruling to dissolve the marriage/civil partnership.



5. The Petitioner can file the **Application for Decree Absolute (divorce) or Final Order (civil partnerships)** no earlier than 6 weeks and 1 day after the **Decree Nisi/Conditional Order**. The Court will then send both parties a sealed copy of the **Decree Absolute/Final Order**. This brings the marriage/civil partnership to an end.

For more information about Divorce or Dissolution Proceedings contact our family solicitors on **0113 357 1315** or email us at enquiries@consilialegal.co.uk.