

THE PROCESS OF GETTING DIVORCED

All forms relating to financial settlements are available to download from <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do>

STAGE 1

- Divorce Petition (D8). You will need 3 copies: complete one, make 2 copies and submit all 3
- Statement of Arrangements (D8A). You will need to complete this form if you have children. You will need 3 copies: complete one, make 2 copies and submit all three
- Marriage Certificate. This should be the original copy
- Reconciliation Statement
- Public Funding Certificate (if you are in receipt of legal aid).
- Notice of Acting (if you are represented by a solicitor).

Complete the above forms and file at your local County Court with the above documentation together with the Court fee of £410.

STAGE 2

The court will issue the application and send a sealed copy of the papers to the petitioner and the Respondent.

Alternatively your solicitor could ask the court to return the documents to serve the Respondent personally.

STAGE 3 (If the divorce is undefended.)

The Respondent must file the Acknowledgement of Service (D10) within 7 days (8 days including the day of service).

This form is usually sent out by the court. If the Respondent wishes to defend the divorce, he or she must notify the court within 7 days of service (8 days including the day of service).

STAGE 4

Once the Acknowledgement of Service has been received by the court, the petitioner can file the application for Decree Nisi (D84) together with the appropriate Statement in Support, depending on the fact relied on for divorce. These are:

- Form D80A for adultery
- Form D80B for unreasonable behaviour
- Form D80C for desertion
- Form D80D for 2 years separation with consent
- Form D80E for 5 years separation.

STAGE 5

Application for Decree Absolute (D36). The petitioner can apply no earlier than 6 weeks and 1 day after the Decree Nisi is pronounced.

The Respondent can apply 3 months after 6 weeks and 1 day have passed.