

Divorce

Legal Processes and Paperwork Links

United Kingdom

The only legal requirement applied is that there must be at least one year of marriage existing for the Divorce Process. If you have not been married for a year, you can apply for an Annulment here: <https://www.gov.uk/how-to-annul-marriage/apply-for-an-annulment> . Eligibility Standards for Annulment are listed here: <https://www.gov.uk/how-to-annul-marriage> . These standards are means for the Government to collect Divorce Data. If you feel you do not qualify then try Personal Counseling to understand what true consent and understanding means, (ex. if you were confused to believe a man was your husband by his assumption of being your husband while dating, this can be considered as improper consent).

GOV.UK Step by step: <https://www.gov.uk/divorce/file-for-divorce?step-by-step-nav=84b7fdca-a8b0-4500-bc27-dafeab9f1401>

1. Divorce Application

A Divorce Application is the first part of this legal system's process. This is also known as a Divorce Petition. This application can be completed online or through mail. There is a £593 fee that is to accompany this form in the mail or to be paid online. If you meet the eligibility requirements here: <https://www.gov.uk/get-help-with-court-fees> , then you can mail your application with the form linked below the Divorce Application to get Financial Aid.

Online Divorce Application Link: https://hmcts-access.service.gov.uk/login?client_id=divorce&response_type=code&redirect_uri=https://www.apply-divorce.service.gov.uk/oauth2/callback

Divorce Application Download: https://assets.publishing.service.gov.uk/media/66190bbbc1d297c6ad1dfe39/D8_0324.pdf

Divorce Application Download (Welsh): https://assets.publishing.service.gov.uk/media/64ccee2f9958270010c1e914/CY_D8_0323.pdf

Financial Aid Form Download (England and Wales): https://assets.publishing.service.gov.uk/media/65cc8b5f39a8a7000f60d502/EX160_1123.pdf

These forms need to be sent approximately before 30 days after your signature's date.

Find **your Court's Address** for mailing here: <https://www.gov.uk/find-court-tribunal>

For **Financial Aid in either Scotland or Northern Ireland**, look here: <https://www.gov.uk/get-help-with-court-fees>

2. Post-Application Submission

This period of the process includes either one of the chosen individuality of application submission methods (Individual or Joint).

Joint Applicants

If you decided to apply together as Joint Applicants, then upon verification of correctness of your application, your Court will send you both an Issuance Notice, a Stamped Copy of your application, a Receipt, and a Case Number.

Sole Applicant (Individual)

If you decided to apply as a Sole Applicant, then upon verification of correctness of your application, your Court will send you an Issuance Notice, a Stamped Copy of your application, and a Case Number. Upon the Court's response, your spouse will be sent a Copy of the Divorce Application with an Acknowledgement of Service Notification. Your spouse must respond to the Notification within 14 days. They will choose either to agree or dispute with the Court over the Divorce Application. If they do not respond, the Court takes authority over the continuation process and will inform you about what happens and they may be required to pay a fee. They should receive a printed form in the mail with the Court address included for their response. If they dispute with the Court, they will have given a statement of why. It would have to be considered a legal reason. If it is seen as genuine, you may need to discuss the case in the Court. If your spouse does not submit an answer statement for their dispute, you can go ahead and continue with the next steps on your own.

Online Acknowledgement of Service Response: https://hmcts-access.service.gov.uk/login?client_id=divorce&response_type=code&redirect_uri=https://www.apply-divorce.service.gov.uk/oauth2/callback-applicant2

3. 20 Week Organization Period

20 weeks after your Court's response, during when you can organize your belongings apart, it will be time for your Conditional Order Application. It can be helpful to mark dates on your calendar or to make a calendar to keep track of this specific part of the process. **Organization Resources** are available at: <https://eeden.space/2024/11/30/human-conservation/>. You will need to **wait 20 weeks from the date listed on the Issuance Notice** sent to you by the Court after your initial application submission.

4. Conditional Order Submission

After the Organization Period has ended, you will be able to successfully submit a Conditional Order Application. You can transition into being a Sole Applicant if you started the Divorce process as Joint Applicants at this point of the process by completing Section B (Joint Applicants) of the application on your own. If you applied for your Divorce online, you will need to go through your online account to continue to submit the Conditional Order online.

Conditional Order Application Download: https://assets.publishing.service.gov.uk/media/65f972ebaa9b760011fbda3d/D84_0324.pdf

Conditional Order Application Download (Welsh): https://assets.publishing.service.gov.uk/media/666b00baa8b7ec4fae43d11c/CY_D84_0124.pdf

The Court will take approximately several weeks to decide on your Application. Upon their agreement, the Court will send you both a Certificate that states the time and date for when your Conditional Order will be granted.

5. 6 Week Separation Period

After the granting of your Conditional Order, you will need to wait for 43 days (6 weeks and 1 day). You can use this period to physically separate yourselves as you have planned and organized.

If you both mutually agree on how to separate your money and property, you can carry on to the Final Order Application. If you have children together, this is also when you should arrange how to look after them after your Divorce. You can work out any child care payments for maintenance at this point or setup Child Maintenance Services (linked below). It is not legally required for you to legally bind your agreements, but you can if you feel that is needed. If you decide that you need a Legally Binding Agreement, you will need to apply for one before you move on to submitting your Final Order Application, although you can apply for one after your Divorce finalization. The Divorce process will move smoother with the Court if you apply for a Legally Binding Agreement before submitting your Final Order Application. If you wait until after the Divorce process is over, you may suffer some financial consequences, regarding pensions in particular.

Legally Binding Financial Agreement

Legally Binding Agreements are helpful when you are struggling to agree with your spouse long-term, or are needing further accountability to ensure care for your children. To begin this process, you will need to agree with your spouse on how to divide all of your Finances. Your Finances include pensions, property, savings, and investments. If you have children under the age of 18, then your Finances also include their ongoing care between parents. Pensions can be divided by Shares. If you both agree on how to divide your Finances, a Consent Order will make it legally binding. Drafting a Consent Order while in agreement with your spouse will easily process with your Court for approval. If you find that you are not able to agree with your spouse on a Consent Order, then you can go to Mediation Counseling. They will direct you to the needed processes for your specific issues. If Mediation Counseling is not getting you to a mutual agreement either, then you can progress with a Financial Court Order. If you experienced abuse from your spouse, then you can work with the Police to get help at this stage, more details below.

Consent Order Submission

In order to submit a Consent Order to your Court, you will need a signed Consent Order Draft, two Photocopies of the Original Signed Court Order Draft, a completed Statement of Information Form, £58, and a Notice for a Financial Order Application. Only one of the spouses needs to fill out the Notice for a Financial Order Application. You can print the same form as in Step 1 for help with the £58 Court Fee. Since you are divorcing, you will need to send all of the signed forms, copies, and money to the address below:

**HMCTS Financial Remedy
PO Box 12746
Harlow
CM20 9QZ**

If the Judge finds that the Consent Order is unfair, they will ask you to make amendments. If the Judge finds the Consent Order fair, they will then approve it and make it legally binding.

Consent Order Template Download: <https://eeden.space/2024/11/30/human-conservation/>

Statement of Information Form Download: https://assets.publishing.service.gov.uk/media/65f97449aa9b760011fbda43/D81_0324.pdf

Notice for a Financial Order Application Download: https://assets.publishing.service.gov.uk/media/6628e39db0ace32985a7e5a5/Form_A_0424.pdf

Mediation Counseling

If you and your spouse are struggling to agree on your Consent Order Draft, you can seek out a Mediator for help in order to finalize a neutral agreement for your Finances. After attending at least one meeting with a Mediator (or other help), you can ask your Court to decide on topics where you are unable to agree. If you are in an abusive situation, you may be informed that it is unnecessary if authorities are involved. You may get legal aid for costs in instances of abuse. You can check the Mediation Resources link below for what resources are available.

Legal Aid for Abuse: <https://www.gov.uk/legal-aid/domestic-abuse-or-violence>

Mediation Counseling Locator: <https://www.familymediationcouncil.org.uk/find-local-mediator/>

Mediation Resources: <https://www.gov.uk/looking-after-children-divorce/mediation>

Financial Court Order

In order to attain a Financial Order, you will need to attend a meeting about Mediation called MIAM (Mediation Information Assessment Meeting) first. This is what the first meeting with a Mediator is called, MIAM. If you have experienced Domestic Abuse from your spouse, then you can go ahead and apply without attending a MIAM, just make sure to state that within Section 3 of your Financial Order Application. They do ask that you send evidence of the abuse. We recommend making a Formal Statement with the Police, it is your choice whether or not you decide to press further charges. The Police will help you find the help you need and you can tell them about your plans for Divorce as well, they will help you to securely go through that process. The MIAM costs roughly £120. More Mediation meetings may be suggested during your MIAM. After filling out the Financial Order Application Form, you will need to send the form to the **Financial Remedy Court in your vicinity** along with £303. Keep a copy of your Financial Order Application for yourself. Any other **additional documents**, after submission, will need to be sent to:

**HMCTS Financial Remedy
PO Box 12746
Harlow
CM20 9QZ**

Then, there will be a short hearing with the Judge to discuss your application at your Local Financial Remedy Court, where you sent your Application. After that, you will attend Financial Dispute Resolution Appointments. If you are still unable to agree with your spouse, you will have a Final Hearing, where a Judge will decide on how to separate the Finances of your marriage. All of these events will be planned by your chosen Court and information will be sent to you from them. It can take anywhere between 12 to 14 weeks for their plan to arrive and begin with you. Before your first appointment, you and your spouse will need to complete the Financial Statement for a Financial Order Form (Form E). You will also need to collect Financial

Documents such as: Housing Agreements, Mortgage Agreements, Pension Documents, Loan Agreements, Proof of Salary or Income, Pay Slips, and Financial Descriptions About Valuable Personal Assets. This process can include several months in between appointments. Your Local Financial Remedy Court will use those Financial Documents in order to make their Orders for your Finances. For further information about the process, navigate to the Financial Order Process Documentation link below. After this process has been completed, there will be law enforcement involved under the Judge's ruling for how your assets are to be shared or exchanged between each other.

Financial Order Application Download: https://assets.publishing.service.gov.uk/media/6628e39db0ace32985a7e5a5/Form_A_0424.pdf

Financial Remedy Court Locations: <https://www.gov.uk/government/publications/hmcts-financial-remedy-courts/regional-financial-remedy-courts-and-local-hearing-venues-in-england-and-wales>

Financial Statement for a Financial Order (Form E): <https://www.gov.uk/government/publications/form-e-financial-statement-for-a-financial-order-matrimonial-causes-act-1973-civil-partnership-act-2004-for-financial-relief-after-an-overseas>

Financial Order Process Documentation: <https://www.gov.uk/money-property-when-relationship-ends/get-court-to-decide>

Citizens Advice: <https://www.citizensadvice.org.uk/family/sorting-out-money/dividing-up-money-and-belongings-when-you-separate/>

Divorce Guides: <https://www.advicenow.org.uk/guides/sorting-out-your-finances-when-you-get-divorced>

Financial Divorce Spreadsheet: <https://www.moneyhelper.org.uk/en/family-and-care/divorce-and-separation/divorce-and-money-calculator?source=mas#>

Child Arrangement Resources: <https://www.gov.uk/looking-after-children-divorce>

Child Maintenance Service: <https://www.gov.uk/child-maintenance-service>

Social Services Needs Assessment: <https://www.gov.uk/apply-needs-assessment-social-services>

Legally Binding Financial Divorce Agreements for Scotland: <https://www.citizensadvice.org.uk/scotland/family/relationship-problems-s/getting-divorced-s/>

Legally Binding Financial Divorce Agreements for Northern Ireland: <https://www.nidirect.gov.uk/articles/getting-divorce-or-dissolving-civil-partnership#toc-13>

6. Final Order Submission

This part of the process officiates the end of your marriage. You may transition into applying as a Sole Applicant from being a Joint Applicant during this part of the process as well. You will need to apply within 12 months of the granting of your Conditional Order. If you wait longer, you'll need to go through extra processes with the Court to inform about the reasons for your

delay. You should continue processing your Divorce with the same Court address unless directed otherwise by your Court. If you applied for your Divorce online, your same online account will direct you on how to apply for the Final Order online. There is no application download on the GOV.UK site in Welsh for the Final Order.

Joint Applicant Final Order Application Download: https://assets.publishing.service.gov.uk/media/66ea8888c069f68b7681bcde/D36_0724_save.pdf

Sole Applicant Final Order Application Download: https://assets.publishing.service.gov.uk/media/65f9717e703c42001158eefa/D36A_0324.pdf

After your submission, the Court will send both of you copies of your Final Order if time limits have been respected and there are no reasons left to dispute against the Divorce. This Copy of your Final Order serves as your finalization. You are officially Divorced after you receive the Copy. If you choose to marry again in the future, you will need to show the Copy as proof of your marital status. You can apply for a Copy of your Final Order at the places listed in the link below.

Final Order Copy Application Process: <https://www.gov.uk/copy-decree-absolute-final-order>