



BOOKERS & BOLTON  
SOLICITORS

# Divorce Client Guide

July 2016



## WHO CAN APPLY?

In order to apply for a divorce, you must be legally married and have been married for [at least a year](#).

## WHAT REASON CAN THEY GIVE?

On the divorce petition there is only one reason for divorce, which is that the marriage has irretrievably broken down. To show that the marriage has irretrievably broken down, you need to rely on one of the following five facts:

- ADULTERY
- UNREASONABLE BEHAVIOUR
- DESERTION
- 2 YEARS SEPARATION
- 5 YEARS SEPARATION

Most divorces are based on either adultery or unreasonable behaviour, as these are the only two facts that allow the petitioner to begin divorce proceedings immediately, without waiting for a period of at least two years.

## WHAT HAPPENS NEXT?

### THE DIVORCE PETITION

We will complete the divorce petition with you and send this to the Court with a fee of £550.00 and your original marriage certificate.

The Court will then issue the petition and send this to your spouse. In usual proceedings the spouse will acknowledge the petition and send this back to the Court.

### DECREE NISI

Once we receive the acknowledgement from the Court we are able to apply to the Court for the first stage of divorce, which is your Decree Nisi. The Court will review this application and then provide a certificate of entitlement to Decree Nisi. This will give a date for when the Decree Nisi will be pronounced. When the Decree Nisi is pronounced we have to wait 6 weeks and a day before we can apply for the next stage of divorce on your behalf, which is the Decree Absolute.

### DECREE ABSOLUTE

When you are ready to apply for the final stage of your divorce we will apply to the Court for your Decree Absolute. When we receive the Decree Absolute from the Court, it means that you are divorced.

### COURT FEES

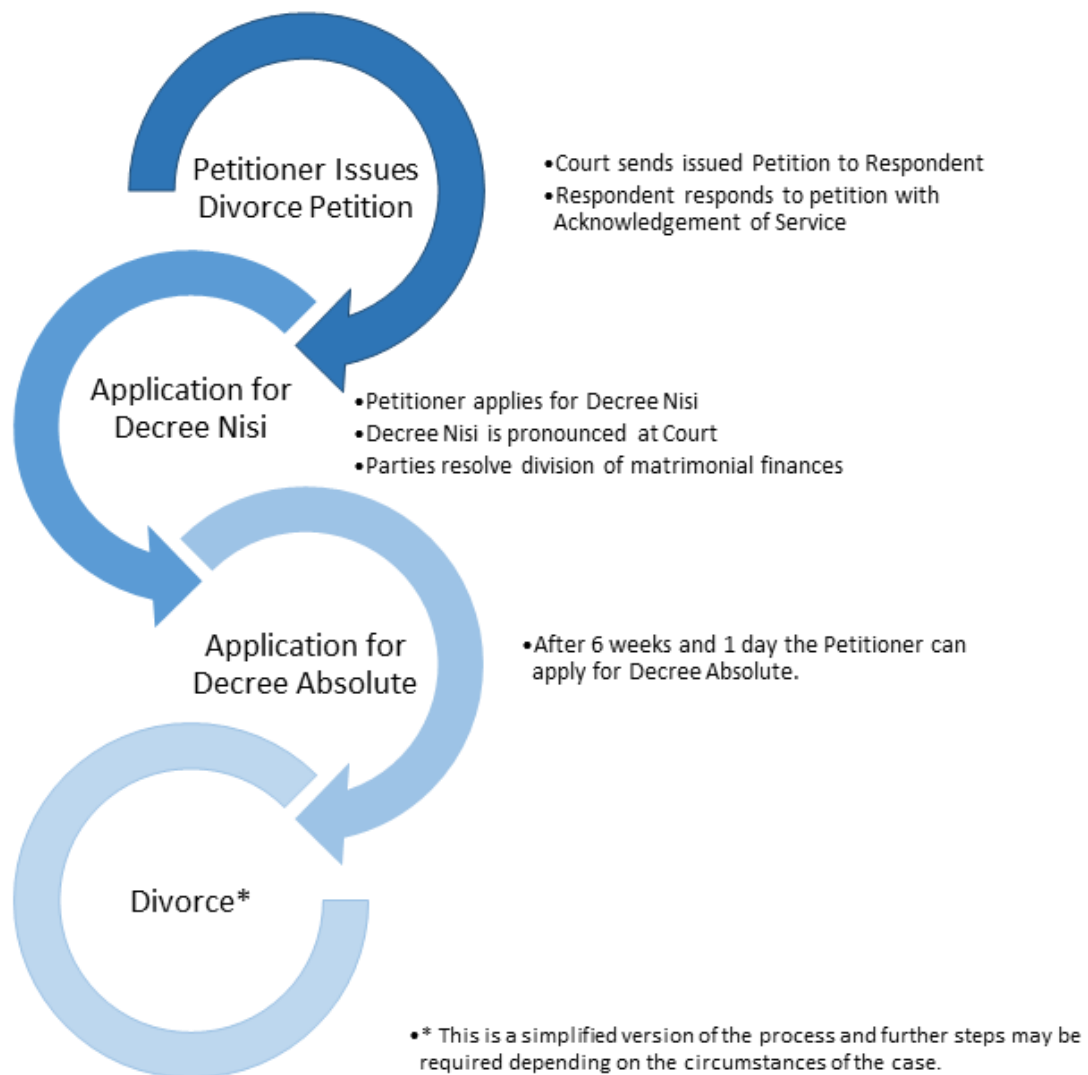
In respect of court fees, it may be that you qualify for a court fee remission. You will qualify for this if your financial circumstances meet the threshold. We can help you apply.

## MATRIMONIAL FINANCES

Divorcing does not resolve the outstanding issues of matrimonial finances. If you and your spouse can agree a settlement, then this can be incorporated into a Consent Order which we can assist you with. The Court can approve a Consent Order if you are at the Decree Nisi stage.

If matrimonial finances cannot be agreed, we will need to apply to the Court for a financial order. The court fee for this is £255.00. This will commence financial proceedings and we will assist you with this process as well as negotiate on your behalf and advise you as to what you should fairly receive.

In summary the process of the divorce is:



This guide to divorce does not constitute appropriate legal advice and is for general advice only. Further steps may be required in the divorce/financial process. Bookers & Bolton cannot accept responsibility for any reliance placed on the legal information provided in this guide.



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### WHO ARE WE?

We have been in our current offices at **6 High Street** in Alton since 1956 and the history of Bookers & Bolton dates back to 1893 so you can rely on us to be there for you and your family in the future. There is a security in our history and we act for many clients whose grandparents were advised by us. We have built a reputation for quality and reliability in Hampshire and the South and we are committed to maintaining and building on that reputation. Whilst other firms come and go and may offer the promise of low cost legal services, we remain committed to providing you with the best. We recognise that you only come to us when faced with the most important decisions in life and we treat you, and those issues, with the respect and legal diligence that they call for.

### HOW CAN WE HELP?

Our qualified family team are here to help you with all of your matrimonial matters. They can offer advice, help you complete the sometimes lengthy forms and ensure you get the fairest deal when it comes to finances.

### CONTACT US

#### Hannah Anderson

Solicitor – Head of Family

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**Twitter:** @BookersBolton

### OUR OTHER SERVICES

Please ask about our other services. If you are selling your family home or haven't yet made a will, we are here to help.

**PROPERTY** **PRIVATE CLIENT** **FAMILY & YOU** **BUSINESS**