

**DIVORCE GUIDE**

A person with long brown hair, wearing an orange beanie, is seen from behind, walking across a suspension bridge. The bridge has a white metal frame and a white mesh deck. The background is a dense forest of tall evergreen trees, with some trees showing autumn-colored foliage. The sky is overcast and hazy.

**10 STEPS TO  
START  
DIVORCE**

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# 10 STEPS TO START A DIVORCE

1

You must be married for over 1 year to start divorce proceedings. You can start the divorce in England and Wales regardless of where you got legally married, if, as for most couples you both live here. If either of you live abroad or have only recently moved to England and Wales you may still be able to issue here but there are detailed residence and domicile requirements.

2

You need the following documents and information;

- your original marriage certificate or a certified copy,
- official translation if you married abroad and the marriage certificate is not written in English,
- deed poll if you have changed your name,
- your spouse's full name and address, and email if possible,
- and £593 (as of June 2022) for the court fee. (If you have a low income and limited savings you may be exempt)

3

Your marriage must have irretrievably broken down and with the introduction of no-fault divorce, you do not need to give any reasons for this.

4

You may prefer to issue the divorce application, rather than your spouse, as you can then ensure the divorce goes through in a timely manner. If you can issue this online the procedure is much quicker and easier than postal applications - <https://www.gov.uk/apply-for-divorce>. The government website has a useful summary of how to get divorced, <https://www.gov.uk/get-a-divorce>.

5

Book a free consultation with an experienced family solicitor to discuss your divorce and financial and children matters.

6

Attend mediation (if you think it is suitable for you) as early as possible to discuss children and financial matters, ideally even before the divorce process starts. The Family Mediation Council is made up of national family mediation organisations in England and Wales and has a list of registered mediators – [www.familymediationcouncil.org.uk](http://www.familymediationcouncil.org.uk)

7

If you have children check the child maintenance service website for the amount of child maintenance you should pay or receive so you have a starting point for maintenance. <https://www.gov.uk/making-child-maintenance-arrangement/using-child-maintenance-service> You may still agree on a higher figure, and it is usual to ensure household outgoings of the marital home continue to be met and where possible the status quo is kept until financial matters are fully dealt with on divorce.

8

Make a new will– treat this as a priority. Do not leave this until the end of your divorce.

9

Check how your home, and other properties, are held by you and your spouse at the outset and check with your solicitor whether any immediate steps need to be taken to protect your position. If properties are jointly held they may advise that the tenancy be severed so you can leave your share under your will. It depends on health considerations whether this is advisable. If properties are in your spouse's name they are likely to advise registering a matrimonial homes rights notice and if more than one property further notices/ restrictions to notify any potential buyers of your interest.

10

Obtain immediate legal advice if any of the following affect you;

- Domestic violence – also call the 24-hour national domestic abuse helpline freephone number **0808 2000 247** or contact the National Centre for Domestic Violence tel number **0800 970 2070** or text **NCDV to 60777** and they will call you back.
- You fear that your spouse will abduct the children and take them abroad. Also contact Reunite – at <https://www.reunite.org/>
- You are concerned that your spouse is disposing of or dissipating assets. You may need to issue your divorce straight away, freeze accounts and apply for a financial injunction.