



Helping our clients achieve

## FACT SHEET from Phillips Solicitors

### Divorce

There is one ground for divorce in this country – the irretrievable breakdown of the marriage, based on one of five facts which must be proved by the person asking for the divorce (the Petitioner)

- Adultery of the other partner
- Unreasonable behaviour
- Separation over two years with the other party consenting
- Separation of five years where consent is unnecessary
- Desertion (rarely used)

It is not possible to petition for divorce within the first year of marriage (although this does not apply to petitions for the annulment of the marriage or judicial separation actions).

The court process can take between four and six months from the issue of proceedings to the grant of the Decree Absolute (the final decree which dissolves the marriage). This does not necessarily include dealing with financial issues and/or children disputes which may arise and the time can vary from court to court. You may of course be advised not to apply for the Decree Absolute until the finances have been resolved.

The Court fees presently payable amount to £300 for the issue fee, £40 to apply for the Decree Absolute and there may be a small fee of around £7 to swear an affidavit. These fees are in addition to our fees which are detailed in our terms and conditions. In certain circumstances you can ask the court to make a cost order, which means that you could recover some of your costs from your spouse.

Dealing with matters in a conciliatory way is always advisable. The family law team at Phillips is a dedicated team of specialists who follow the Code of Practice of Resolution, adopting a robust but sympathetic approach to your problems with the expertise and assistance needed at this difficult time.

We welcome informal telephone enquiries and all initial calls are handled by one of the team so that from an early stage the person most suited to your particular needs can be identified.

Please contact a member of our Family team on 01256 460830.

[www.phillips-law.co.uk](http://www.phillips-law.co.uk)