

## Divorce and Separation

We specialise in all aspects of family law, including:

- Divorce
- Financial settlements
- Children's matters
- Separation
- Civil partnerships
- Co-habitation agreements
- Pre-nuptial agreements

You will receive the full support of our efficient and flexible team.

Last year **100%** of our Family Law clients who returned our questionnaires said that they would **recommend us**.

We aim to guide you through the complexities of Family Law to achieve the best possible outcome. We will follow your instructions and make the process as stress-free as possible.

We can provide you with sound advice, specific to your circumstances. We can explain the legal procedures and the options available to you.

We will deal with your matter in a professional, friendly and efficient way.

## The Divorce Process:

1. A 'Petition for Divorce' is sent to the County Court who send it to the other party and ask if the divorce will be opposed.
2. An 'Affidavit in Support' is sent to the court.
3. If the court is satisfied that the marriage has irretrievably broken down, the judge will fix a date for the 'Decree Nisi' of Divorce.
4. Six weeks later, the Decree Absolute can be applied for by the Petitioner - and when that is pronounced the Divorce is completed.

To get divorced one of the following must be proved:

- Adultery
- Unreasonable Behaviour
- Desertion for two years
- Separation for two years (with consent)
- Separation for five years

Settling finances is separate to the Divorce. If an agreement cannot be reached an application can be made to the Court. If an agreement can be reached a Consent Order can be drawn up.

If you are considering a financial settlement it is important to obtain professional legal advice before agreeing anything.

When deciding upon financial arrangements, the court will aim to reach a fair outcome based upon reasonable needs.

The court will consider all circumstances including:

- welfare of any children under the age of 18
- reasonable earning capacity, property and financial resources of the husband and wife
- financial needs of husband and wife
- the family's standard of living before the breakdown of the marriage
- any physical or mental disability of the husband or wife
- the duration of the marriage and the ages of husband and wife
- contributions from husband and wife, including looking after the home and caring for the family

## FINANCIAL DETAILS

- a) Is your home owned? If so, please complete this section. If not, please move onto the next section

Is the property in joint names	
Purchase price and year	
Amount of outstanding mortgage	
Current value	
Monthly mortgage instalment	
Who pays the mortgage	
Any other loans / charges	

b) Is your home rented? If so, complete this section

In whose name is the tenancy	
Name of landlord / Local Authority	
Current rent	
Duration of tenancy	

### **Income and Assets**

Your annual gross income	
Your monthly net income	
Your partner / spouse's annual gross income	
Your partner / spouse's monthly net income	

Child Maintenance can be paid by agreement, based on guidelines of 15% parents net income for one child, 20% for two children and 25% for three or more children (this can vary). If agreement cannot be reached, an application to the CSA can be made. The court only make orders in respect of maintenance in limited circumstances:

## CHILDREN'S DETAILS

Children's full names	Date of Birth	Child of the marriage?	Does your spouse / partner have parental responsibility in relation to the child?

## NOTES / QUERIES