



DISSOLUTION PROCEDURE

Once you have provided all the necessary details to your solicitor, he or she will draft your dissolution petition and send a copy to you for your approval. If there are children of the family, then a form called a Statement of Arrangements for Children will also be drafted and sent to you for your approval. The Statement of Arrangements contains details of what is to happen to the children with regard to where they will live, their education, the financial support of the children, and contact arrangements.

If you are happy with the draft dissolution petition and Statement of Arrangements for Children, your solicitor will prepare a final version. Your solicitor can sign the documents on your behalf.

Once the dissolution petition has been approved and signed, it is sent with the Statement of Arrangements and your original civil partnership certificate to the Court. The Court fee for issuing the dissolution petition is £300.

The Court will send a copy of the dissolution papers to your civil partner, and your solicitor will receive a Notice of Issue confirming the papers have been served on your civil partner. Your civil partner will be required to acknowledge service of the dissolution petition. The Court will send the relevant form directly to your civil partner, and he or she will have seven days to complete and return the form to the Court. If the form is not returned to the Court, your solicitor will advise you on what further steps need to be taken to progress your divorce.

If your civil partner states on the Acknowledgement of Service that he or she is going to defend the dissolution, then he or she is required to file an Answer within twenty-nine days. It is very unusual for anyone to defend dissolution proceedings due to the cost implications.

If the dissolution is undefended, then once the Acknowledgement of Service is received from the Court, your solicitor will prepare an affidavit in support exhibiting the signed Acknowledgement of Service. You will need to arrange to swear the affidavit, this can be done at a local solicitors office (not the solicitors who are acting for your civil partner), or at your local County Court. There is a charge of £7 if a local solicitor attends to this formality. When you swear an affidavit, you are required to swear on the Bible that its contents are true. If your religion or your beliefs do not make it possible for you to swear on the Bible, then you can affirm instead. In addition to the affidavit, you will also be required to sign another form called an Application for Directions for Trial. This form asks the Court to set a date for the pronouncement of your Conditional Decree. Once your Conditional Decree is made, you have to wait six weeks and one day until you can apply for your final Decree. When you receive your final Decree, you will be divorced.

If there are any unresolved issues relating to division of matrimonial assets or children, your solicitor will advise you not to apply for final Decree until these matters have been dealt with.

Once your final Decree is received from the Court, your solicitor will send the original to you, and keep a copy on the file. Please ensure you keep this document in a safe place, as it effectively replaces your civil partnership certificate, and you may need it when obtaining a passport and other documents.

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Family Department telephone number 01707 387073