

YOU DECIDE WHAT "FACT" YOU ARE GOING TO RELY ON:

- [Adultery](#)
- [Behaviour](#)
- [2 years separation with consent](#)
- [Desertion for over 2 years](#)
- [5 years separation](#)

The **draft petition** should generally be shared with your spouse for approval

Three copies of the divorce petition, together with the original marriage certificate (or a certified copy), sent to the **divorce centre** to be issued plus applicable court fee

The divorce centre send the issued petition to your spouse

Your spouse should file an Acknowledgement of Service form with the divorce centre, either agreeing to the divorce or defending the divorce within 7 days

If defended (i.e. your spouse does not agree to the divorce) your spouse will need to file an answer in 21 days

If no acknowledgement is completed by your spouse, your spouse must be formally served with the Petition and you will need to consider how this should be done

If undefended (i.e. your spouse agrees), you can prove service and your spouse doesn't respond, or if no answer is filed in time

If an answer is filed you will need to make an application to the court for directions and you should seek specialist advice at this stage

If no answer is filed

You apply for the **Decree Nisi** by completing an **application** and a statement in support

If satisfied there should be a divorce, the case is listed for **Decree Nisi** (if not satisfied, the court will list a hearing)

The **Decree Nisi** is pronounced (it is not usually necessary to attend court for this)

You can apply for **Decree Absolute** after a period of six weeks and one day (but seek advice before doing so)

Your spouse can apply for the **Decree Absolute** 3 months after you could first apply if you haven't done so

The **Decree Absolute** is issued by the court and sent to you and your now former spouse: this formally ends your marriage

You should consider making a new Will and review whether there are any outstanding financial issues to resolve