Undefended Divorce Process

Herrington Carmichael
SOLICITORS

Instruct your Lawyer to draft a divorce petition on your behalf.

Unless there is good reason why it shouldn't be, the petition is sent to your spouse in draft form so they may take legal advice upon it, and confirm agreement before it is sent to the court.

The petition is sent to the court to be issued. Once issued, the court allocates it a unique case number and sends a copy to your spouse together with a form called an acknowledgement of service.

Your spouse completes the acknowledgement of service form and returns it to the court.

Once a copy of the acknowledgement of service has been received, an application for Decree Nisi can be made. This requires you to sign a short statement confirming your petition is true.

The court considers your petition and application for Decree Nisi, and if satisfied you are entitled to a divorce, the court will set a date to pronounce your Decree Nisi.

Notification of the date that your Decree Nisi is to be pronounced is received.

The Decree Nisi is pronounced by a Judge. There is normally no need to attend court. At this point the court can consider and make legally binding any agreement you have made concerning your finances; which is done via a consent order.

6 weeks and a day after the pronouncement of the Decree Nisi, you can apply for a Decree Absolute which ends the marriage. It is advisable to delay in doing so until you've reached a financial agreement that's legally binding.

For further advice, please contact a member of our family team on 0118 977 4045