

## How to fill out a Petition

It is important that any papers that you send to the Court are accurate. Failure to fill out the court forms correctly can result in delay and additional cost. The HM Courts and Tribunal Service provide guidance for completing the petition and this can be found at:





[http://hmctsformfinder.justice.gov.uk/HMCTS/GetLeaflet.do?court\\_leaflets\\_id=140](http://hmctsformfinder.justice.gov.uk/HMCTS/GetLeaflet.do?court_leaflets_id=140)

If you are considering filing for Divorce or Dissolution of your Civil Partnership without the assistance of a Solicitor, it is essential that you read the leaflet carefully and follow the instructions. If you are filling out the Petition, you will be the Petitioner. The other party will be the Respondent.

To assist you, this information sheet offers some pointers for the main sections. If the section is not mentioned, it is because the details required are self-explanatory.

<b>Part 1</b>	This part requires you to provide your personal details. You must ensure that they are correct. If you do not have an address for the Respondent, you should consider taking legal advice as additional steps must be taken if an address is not included.
<b>Part 2</b>	This part is for the details of the marriage or partnership. You must ensure that you use the exact words which are shown on your marriage certificate, including if you have a marriage certificate from another country.
<b>Part 3</b>	This part deals with Jurisdiction. This determines whether the Court in England and Wales are allowed to process your Divorce or Dissolution. For most, the Court will have Jurisdiction because both you and the Respondent habitually reside in England and Wales. If this is not the case, you should consider taking legal advice.
<b>Part 5</b>	Make sure that you tell the Court what you are asking for and why. Select either Divorce, Dissolution or Judicial Separation. Then select the reason that you are petitioning. You can only rely on one reason and this will affect the information that you include in the next section
<b>Part 6</b>	In this section, you need to expand on the reasons that you are petitioning. <ul style="list-style-type: none"> <li>• Unreasonable Behaviour – you should list approximately 5 things that you consider as unreasonable. It is necessary to show that the Respondent is to blame but the reasons can be mild.</li> <li>• Adultery – you must include the words ‘committed adultery’ and you should include the date on which the adultery occurred or the date you discovered it. If the Respondent has admitted the adultery, this should also be included. It is not good practice for you to name the third party involved.</li> <li>• Desertion – you should include the date when the Respondent deserted you and confirm that there has been no reconciliation.</li> <li>• 2 and 5 years Separation – you should confirm the date of separation and that there has been no reconciliation.</li> </ul>
<b>Part 9</b>	As mentioned above, you will need to provide an address for the Respondent. This is because the Respondent should be notified that you are petitioning. If you do not have an address for service, there are options to enable you to progress. You should consider seeking legal advice to discuss these options.
<b>Part 10</b>	This section is very important because it summarises the orders which you are requesting the Court to make. You may wish to seek an order that the Respondent pay your costs. You may wish to resolve matters relating to the joint finances. It is usual for the petitioner when seeking Divorce or Dissolution to select all the options under paragraph 3. This allows you the full range of financial remedies.

To find out more, please refer to the information sheets which can be found on our website under Resources.

-  The 5 Steps for Divorce or Dissolution
-  Difficulties with Service
-  Procedure for Financial Remedy
-  What is Financial Disclosure?