

## Divorce and Dissolution - The 5 steps

The procedure for Divorce or Dissolution is fairly straightforward. In most cases, both parties will agree to proceed and the application will be undefended. As such, the 5 steps outlined below are those which you will encounter in undefended petitions. If the petition is to be defended, whether you are to be the Petitioner or the Respondent, you should consider seeking legal advice as the procedure is more complicated.

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### Step 1 – The Petition

The Petition is the Court form which must be completed in order to commence the application. It contains all the personal and contact details of the parties, information as to the marriage or civil partnership and the reasons for the breakdown in the relationship. Once complete, the Petition, the marriage or partnership certificate and the Court Fee are sent to the Court. If the Court are happy that all the details are correct, they will issue the Petition. This means that the case is logged onto the system and the application is underway. The Court will then arrange for the Petition to be sent to the Respondent.

### Step 2 – The Acknowledgement of Service

When the Respondent receives the Petition, an acknowledgement of service form is also included. This form must be completed by the Respondent and returned to the Court. The form requires the Respondent to confirm whether the details in the petition are correct and whether the divorce is to be agreed or defended. This form should be completed by the Respondent within 7 days of receipt. However, in practice there is often a short delay.

### Step 3 – Application for Conditional Order and Statement in Support of Petition

Assuming that the Respondent does not seek to defend the Petition, the Court will send the completed acknowledgement of service to the Petitioner. The Petitioner must then apply to the Court for the conditional order, or Decree Nisi. To do so, the Petitioner must complete the application form and submit a Statement in Support of Petition. The Statement in Support provides further details of the reasons for the relationship breakdown.

### Step 4 – Decree Nisi or Conditional Order




Once the Court has received the application and the Statement in Support, a Judge will consider the papers and decide whether the parties are entitled to the Divorce or Dissolution. The Judge will either reject the application and give instructions as to what should happen next or the Judge will agree that the application can proceed, whereupon the Judge will give a date for the pronouncement of the conditional order. It is not necessary for either party to attend Court on this date unless they wish to do so or unless there are issues relating to costs which have to be decided. Decree Nisi or conditional order will then be pronounced.

### Step 5 – Decree Absolute or Final Order

After 6 weeks have passed from the date of the conditional order, the Petitioner may apply for Decree Absolute. If the Petitioner does not do so, once a further 3 months have passed, the Respondent may apply. Once the final order has been made, the marriage or civil partnership is brought to an end.

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

-  [How to fill out the Petition](#)
-  [Procedure for Financial Remedy](#)
-  [What is Financial Disclosure?](#)