

divorce

Are you up to date with the latest legislation? Let the **stevensdrake** Family Department advise you.

Did you know that there were 693 divorces issued through the Horsham County Court in 2009?
Did you know that you have to be married for one year before divorce proceedings can commence?
Did you know there is only one ground for divorce, namely, that the marriage has broken down irretrievably?

- Irretrievable breakdown, however, may be established by proving one of five facts:
 - a) The Respondent's Adultery.
 - b) The Respondent's unreasonable behaviour.
 - c) The Respondent's desertion.
 - d) Two years separation with both parties' consent.
 - e) Five years separation.
- To obtain a divorce in England and Wales you have to qualify under article 2 (1) of the Council Regulation as to jurisdiction. The grounds are as follows:
 - a) The Petitioner and Respondent are both habitually resident in England and Wales.
 - b) The Petitioner and the Respondent were last habitually resident in England and Wales and the Petitioner/ Respondent still resides there.
 - c) The Respondent is habitually resident in England and Wales
 - d) The Petitioner is habitually resident in England and Wales and has resided there for at least one year immediately prior to the presentation of the Petition.
 - e) The Petitioner is domiciled and habitually resident in England and Wales and has resided there for at least six months immediately prior to the presentation of the Petition.
 - f) The Petitioner and the Respondent are both domiciled in England and Wales.
 - g) The court has jurisdiction other than under Council Regulation on the basis that no contracting state has jurisdiction under the Council Regulation and the Petitioner/Respondent is domiciled in England and Wales on the date when the petition is issued.
- There are no 'quickie' divorces. A divorce will take approximately 5 months to be finalised.
- Finances have to be considered before applying for a divorce to be finalised and can take approximately 6 - 9 months, if fully contested.

For further information our Family department can be contacted on 01293 596935.