

About divorce

How do I get a divorce?

By filling in a form called a “petition” and taking it to any divorce county court or to the Principal Registry in London.

This leaflet gives you a list of all divorce county courts.

The addresses and telephone numbers of all divorce county courts are listed in the telephone directory under **Courts**.

When can I get a divorce?

You cannot start a petition for divorce unless you have been married for more than one year.

Must I explain why I want a divorce?

Yes, you must be able to prove to the court that you have reasons (or “grounds”) for saying the marriage is at an end. The expression the court will use is that the marriage has “irretrievably broken down”.

The court will accept one or more of the following grounds as proof:

- that your husband or wife has committed adultery and that you find it intolerable to live with him or her;
- that your husband’s or wife’s behaviour has been so bad that you can no longer bear to live with them;
- that your husband or wife deserted you at least two years ago;
- that you and your husband or wife have lived apart for at least two years and he or she agrees to a divorce; or
- that you and your husband or wife have lived apart for at least five years.

Do I have to live in this country to get a divorce here?

You and your husband or wife, must both have your permanent homes ('domicile') in England or Wales when the petition is started; or

You and your husband or wife must both be living in England or Wales when the petition is started; or

You and your husband or wife must both have had your last home in England or Wales and one of you must still be living in either of these countries when the petition is started; or

Your husband or wife must be living in England or Wales when the petition is started; or

You must have been living in England or Wales for at least a year on the day the petition is started; or

You must have your permanent home in England or Wales and have been living in either of these countries for at least six months on the day the petition is started.

You may also get a divorce in England and Wales in other specific circumstances. You should contact a solicitor, law centre or Citizens Advice Bureau if you need help deciding which statement applies to you.

Will I need a solicitor?

Probably not. But you will find it useful to have some legal advice before starting your petition if:

- you do not know whether you have grounds for a divorce;
- your husband or wife is not likely to agree to a divorce;
- you have not agreed with your husband or wife who the children should live with;
- you have not agreed about any financial support for the children or yourself, or about any property.

The court will give you the forms you need and tell you what to do next. The forms are free.

If you do need help filling in the forms a Citizens Advice Bureau will help.

Remember that court staff are not solicitors. They cannot give legal advice or answer questions like:

- Should I claim financial support?
- Do I have proper reasons for a divorce?
- What will happen to the house I own with my husband or wife?



Will I have to attend a court hearing?

If you can agree with your husband or wife about financial support, property and the arrangements for any children, you may not have to attend a court hearing at all.

You may have to attend a court hearing if you ask the court to make an order for financial support or cannot agree about the arrangements for the children.

How much will the divorce cost?

You may have to pay a fee for the following:

- to start your petition;
- the document which shows you are divorced, the decree absolute;
- any applications for financial support or about any children.

Does the fee always have to be paid?

No. Your financial situation may mean you do not have to pay a fee. The combined booklet and application form **EX160A - Court Fees - do I have to pay them?** provides further information on this.

Court staff can provide you with a copy of the EX160A. It is also available on-line at www.hmcourts-service.gov.uk You will have to make a separate application for each fee that you would otherwise have to pay.

Will I need a copy of my marriage certificate?

Yes. You will have to give a copy to the court when you start your petition. It will be kept on the court file. The copy must not be a photocopy.

Where can I get a copy of my marriage certificate if I do not have one?

If you were married in England or Wales, you can get a copy from:

- the office of the Registrar of Births, Deaths and Marriages for the district in which you were married. You can get the address from the phone book. You will have to pay a fee, and they will tell you how much it is.
- You can also get a copy from:

The Registrar General
ONS Southport
Smedley Hydro
Trafalgar Road
Birkdale
Southport PR8 2HH

Tel: 0151 471 4200

You cannot visit that office. You can only apply by post.

You will have to pay a fee, and they will tell you how much it is. You should send a cheque or postal order for the correct amount. Cheques should be made out to "HMCS".

You can visit the office at the:

Office for National Statistics
Family Records Centre
1 Myddleton Street
London
EC1R 1UW

There will be a charge for your copy certificate. The office will tell you how much it is.

The office you go to will want to know:

- the date and place of your marriage;
- your full name; and
- the full name of your husband or wife.

If you decide to go ahead and start a petition, read leaflet **D184 - I want to get a divorce - what do I do?**

If you have children you should also read leaflet **D185 - Children and divorce.**

List of Divorce County Courts

Aberystwyth	Colchester	Llanelli	Slough
Accrington	Consett	Llangefni	Southampton
Aldershot and Farnham	Coventry	Lowestoft	Southend
Altrincham	Crewe	Luton	Southport
Barnet	Croydon	Macclesfield	South Shields
Barnsley	Darlington	Maidstone	Stafford
Barnstaple	Dartford	Manchester	Staines
Barrow-in-Furness	Derby	Mansfield	Stockport
Basingstoke	Dewsbury	Medway	Stoke-on-Trent
Bath	Doncaster	Merthyr Tydfil	Sunderland
Bedford	Dudley	Milton Keynes	Swansea
Birkenhead	Durham	Morpeth and Berwick	Swindon
Birmingham	Eastbourne	Neath and Port Talbot	Tameside
Bishop Auckland	Edmonton	Nelson	Taunton
Blackburn	Epsom	Newcastle upon Tyne	Teesside
Blackpool	Exeter	Newport (Gwent)	Telford
Blackwood	Gateshead	Newport (Isle of Wight)	Thanet
Bodmin	Gloucester	Northampton	Torquay and Newton
Bolton	Great Grimsby	North Shields	Abbot
Boston	Guildford	Norwich	Trowbridge
Bournemouth	Halifax	Nottingham	Truro
Bow	Harlow	Oldham	Tunbridge Wells
Bradford	Harrogate	Oxford	Uxbridge
Brecknock	Hartlepool	Penrith	Wakefield
Brentford	Hastings	Penzance	Walsall
Bridgend	Haverfordwest	Peterborough	Wandsworth
Brighton	Hereford	Plymouth	Warrington
Bristol	Hertford	Pontefract	Watford
Bromley	Hitchin	Pontypridd	Welshpool and Newtown
Burnley	Horsham	Portsmouth	Weston-super-Mare
Burton-upon-Trent	Huddersfield	Preston	Weymouth and Dorchester
Bury	Ilford	Rawtenstall	Whitehaven
Bury St Edmunds	Ipswich	Reading	Wigan
Caernarfon	Keighley	Reigate	Willesden
Cambridge	Kendal	Rhyl	Winchester
Canterbury	King's Lynn	Romford	Wolverhampton
Cardiff	Kingston-upon-Hull	Rotherham	Worcester
Carlisle	Kingston-upon- Thames	Runcorn	Worthing
Carmarthen	Lancaster	St Helens	Wrexham
Chelmsford	Leeds	Salford	Yeovil
Chester	Leicester	Salisbury	York
Chesterfield	Leigh	Scarborough	
Chichester	Lincoln	Scunthorpe	
Chorley	Liverpool	Sheffield	
		Shrewsbury	
		Skipton	