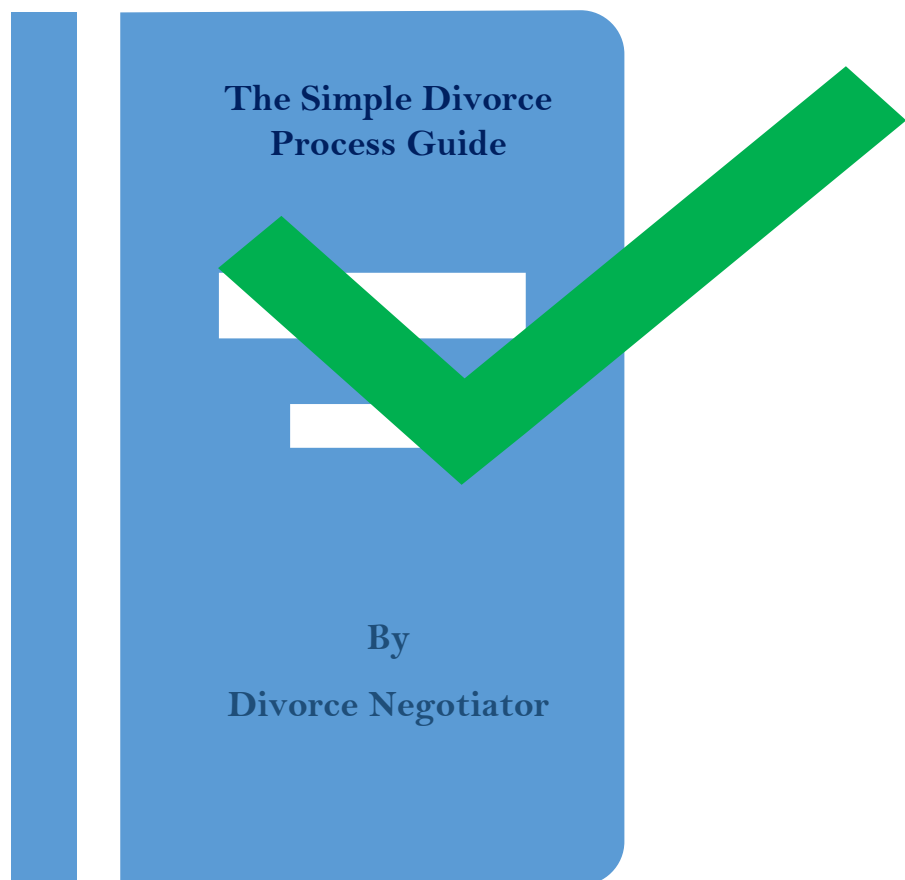


The Simple Divorce Process Guide



The Simple Divorce Process Guide

Hi I am Carol Sullivan and I am a Divorce Negotiator.

When I qualified in the 90's, I worked with hundreds of clients who thought a judge had to decide the outcome of their marital assets. It taught me that most people don't want an acrimonious divorce. They do not want to fight for months about who is having what or pay two solicitors who allow this to happen to their family. I wanted to change this and that's when Divorce Negotiator was born.



I decided to look at divorce differently to the traditional approach by a solicitor. First thing I changed was to work with both parties, rather than setting them off against each other. I started to help clients to negotiate with each other to achieve a fairer, cost effective and amicable divorce. Having one divorce specialist deal with both parties immediately reduces the costs involved, the time taken to proceed through the divorce process and the likelihood of attending or getting involved in lengthy court battles.

I encourage open communication between parties to avoid acrimonious situations. This allows them to make the decisions themselves. They are not forced into a decision by the courts. I help clients with all aspects of their divorce. Completing divorce papers, helping you to make arrangements for your children & financial settlements. Working together with one trained negotiator like myself, speeds up the divorce process, which in turn saves you money and allows you to move on with your lives.

Through Divorce Negotiator I have helped hundreds of divorcing couples keep their cases out of court. I deal with their divorces amicably, saving them thousands of pounds. I can do the same for you. Whether you want to do your divorce yourself or you need me to take care of you entire the whole process, I am here to help. I will be flexible with you as I know what my clients go through.

To get you started, I have set out some information on the divorce process to help you to understand what to expect. The information here enables you to have a good idea of the divorce procedure in England and Wales. It will also give you a good idea about what questions to ask when you decide to hire someone to deal with the divorce for you. Just take care that nothing I say here should be taken as legal advice. The information set out is for information purposes only.

Keep in Mind ...



Firstly, let's be clear, that there are 3 elements to a divorce.

1. Ending of your marriage – This is what we call 'Divorce', when the divorce final, it means that the marriage has legally ended.
2. Children – If you have children, you will need to decide who they will live with and how you will co-parent them post separation. It is possible to come to your own arrangements about your children without getting the court involved.
3. Finances - The finances should always be sorted out formally by getting a court approved order.

In this guide, I will talk to you the first element, the ending of your marriage. Issues in relation to children and finances are complicated and I will discuss these with you in further guides that I intend to write so that everyone can have the information they need to make the right choices.

Everyone should have the right to divorce without conflict and without it costing the earth. I want to make this process as easy and accessible for you, without having to spend your hard-earned money on solicitors fees to get the results that you could have achieved for a fraction of the price.

CASE STUDY

I am going to set out a typical case study of the types of scenarios that I encounter every day. It will make it easier for you to navigate through the divorce process and follow the stages.

Rita and Del have been married for 4 years – they don't have any children. Their marriage was never an easy one, but things started to get worse when Rita had an opportunity to start a new business, however Del refused to support her. Rita could not understand why Del would stand in her way if he loved her and Del felt that spending their life savings on a business, that Rita knows nothing about was too risky. They started to argue regularly and Del started to stay out late at night without telling Rita where he was or when he would return. Rita tried to reason with Del, however each time she tried, it turned into an argument. They eventually stopped communicating with each other. Soon after Del, told Rita that he did not love her anymore and moved into the spare bedroom. They decide that the marriage is over and that they should file for divorce.

So, let's see what Rita and Del must do about their divorce...



BEFORE STARTING THE DIVORCE

Before starting your divorce I check the following key points:

- ✓ You are legally married.
- ✓ You have been married for at least 12 months before starting the divorce.
- ✓ You have your original marriage certificate or an official certified copy. You will also need a certified translation if your marriage certificate is not in English.



As Rita and Del, married years ago in a UK registry office, and they have their marriage certificate, they are good to go. Let's move on and get their divorce started...

DIVORCE PETITION

The first stage of the divorce is to complete and issue a divorce petition. The petition is the document which starts the divorce process.

The petition which will set out details of the marriage. It includes when and where you were married. It also includes the reasons that you are relying on to prove your marriage has broken down irretrievably.



When you apply for a divorce you'll need to prove that your marriage has broken down permanently due to one of the following 5 reasons:

1. Adultery
2. Unreasonable behaviour
3. Desertion
4. You have lived apart for more than 2 years
5. You have lived apart for at least 5 years

Your petition will need to justify why your divorce should be granted for one of these reasons.

Currently in the UK, you can't apply for a divorce jointly, so you must first decide, who will be the one that applies for the divorce. The person who applies for the divorce is called the Petitioner and the other person is called the Respondent. This becomes a problem when the reason for divorce is unreasonable behaviour. Unfortunately, parties cannot jointly take the blame for the breakdown of the marriage. The Petitioner has to 'blame' the Respondent for the breakdown of the marriage. No one wants to be blamed for why things went wrong, so couples struggle to work out what to do.

I tell my clients is that, the decision as to who applies does not affect how you divide your assets or what arrangements you make for any children. Don't confuse with the divorce and the asset division. Years ago, the person who was to blame for the marriage breakup was punished within the settlement, however this is no longer the case.

What is important is that you keep your divorce amicable. To make the decision easier, I help clients to agree what is written in the petition. I help clients to agree what is written in the petition to make the decision easier. This will help the divorce to move smoothly and quickly (and cheaply) as possible. Removing the possibility of the Respondent refusing to sign the papers.



I discussed the reasons for divorce with Rita and Del and the most appropriate in their case is unreasonable behaviour. Rita and Del both argue over who will be the petitioner. They both do not want to take all the blame for the end of the relationship. I help them to keep their issues amicable by giving them a template of the types of reasons the court will accept. Between them they choose the most appropriate ones for their case. It is then agreed that Rita will be the 'Petitioner' and Del will be the 'Respondent'. We complete the petition and Rita signs it. She then sends three copies to the court with her original marriage certificate and the court fee.



You will need your original marriage certificate to start divorce. If you don't have one, you should apply for an official copy from the Registry Office where you married. If you can't get a copy of it, you'll have to make a separate application, alongside this application, to issue the divorce petition form without it.

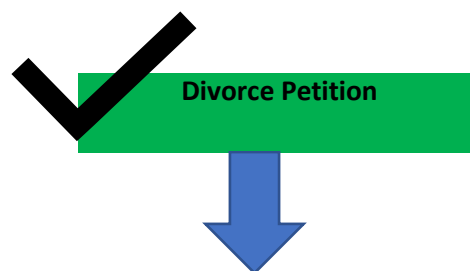


If your marriage certificate is not in English, you will need a certified translation in English.



You might qualify for an exemption of the court fee. I have worked with many client's whose solicitor failed to mention this to them. Thus leaving them of pocket by hundreds of pounds.

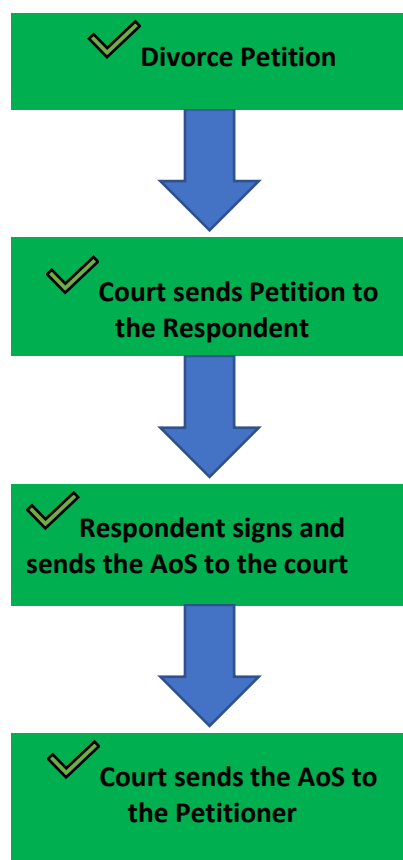
We have completed the first stage of the divorce.



Court sends Petition to the Respondent

Once the court has the petition, they will send it to your spouse. With another document called, the Acknowledgement of Service(AoS). Your spouse will have to complete this document, sign it and send it back for the divorce to continue.

Once the Court have the AoS from the Respondent, they will send it the Petitioner. And to let them know that they can move to the next stage.



As I am assisting both parties, I have explained the process to Del and he has been a part of the petition process. This means, when he receives the petition, there are no surprises. Del signs the AoS and sends it back the court. Rita then receives a copy from the court.

Respondent fails to return the AoS!



What if your spouse refuses to return the Acknowledgement of Service to the court? You will need to arrange personal service of the documents or other court applications depending on your circumstances.

I have helped many clients to get their divorce moving, in a situation where their spouse would not sign the paperwork and send it back to the court. What application needs to be made depends on your circumstances. If you are stuck on this issue, give me a call on **0800 177 7702** and I will talk you through it.

Decree Nisi



Whether your partner returned the AoS to the court. Or whether you had to make a separate application. The Petitioner is now ready to apply for the Decree Nisi.



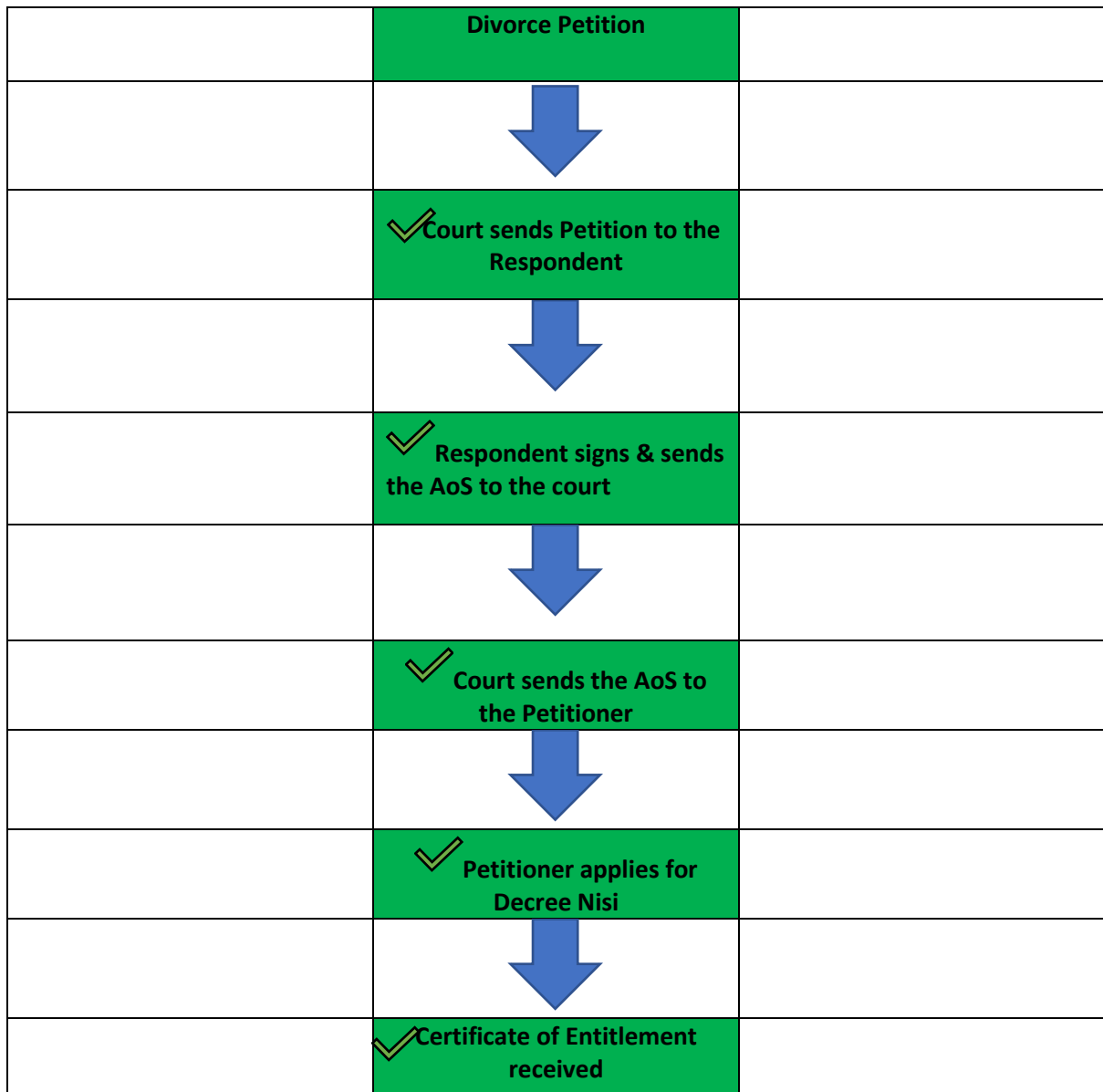
As Del is not defending the divorce, Rita can complete a decree nisi application. This confirms the details set out in her divorce petition are true. She also completes the relevant Statement in Support of divorce – unreasonable behaviour. It's attached to the Acknowledgement of Service with the application and sends it off to the court.

The judge will now consider whether she is entitled to a divorce. She does not have to attend court for a hearing. The Judge looks at the paperwork. Once satisfied the Court will send them a Certificate of Entitlement to Decree Nisi.

The Certificate will give a date and time at which your Decree Nisi will be pronounced at court. Getting the Decree Nisi does not end the marriage. It simply means the grounds for divorce have been proved.

Have a look at the progress of our divorce on the chart...

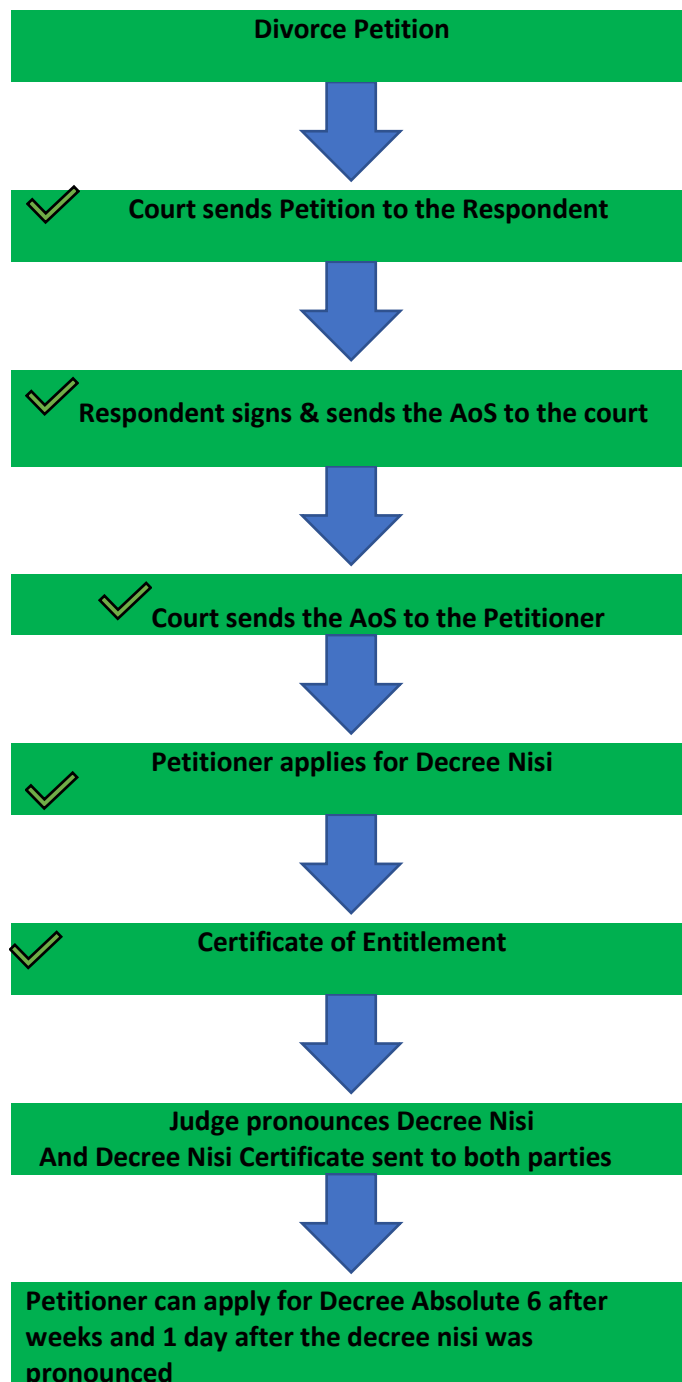
The Simple Divorce Process Guide

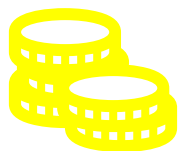


Decree Nisi Pronounced



Once the judge is happy with your paperwork, he or she will pronounce your decree nisi in court and send you the decree nisi certificate.





CONSENT ORDER

Remember at the start, I told you that there are 3 elements to a divorce.

1. Ending of your marriage – This is what we call ‘Divorce’, when the divorce final, it means that the marriage has legally ended.
2. Children – If you have children, you will need to decide who they will live with and how you will co-parent them post separation. It is possible to come to your own arrangements about your children without getting the court involved.
3. Finances - The finances should always be sorted out formally by getting a court approved order.

When you reach the decree nisi stage, you can ask the court to approve your financial settlement agreement.

I am an amicable divorce negotiator so I help couples to come to amicable decisions about their financial settlement. This is a difficult time for most couples so I am flexible as to how they can work with me, some prefer email, some want to meet face to face. Whatever suits you, it is important you deal with the finances.

When I help couples, I help them to keep it fair and I help them to keep out of court. This means it does not cost the earth to wrap up all elements of your divorce.

Keep in mind that divorce is not ever complete without you dealing with your financial settlement – even if you trust your spouse, even if you don’t have any assets. Not convinced? have a look at one of my recent posts discussing this issue:

<http://www.divorcenegotiator.co.uk/2017/09/20/consent-order-divorce/>

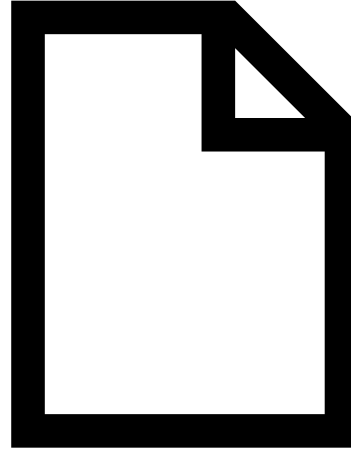


Rita and Del are renting and don’t have any pensions or savings. They agree that they don’t want anything from each other. I talk to them about getting a consent order to confirm this. It makes sense to them to deal with this now, so that they have peace of mind. I draft a simple order for them and it is sent to court for approval.

<http://www.divorcenegotiator.co.uk/>

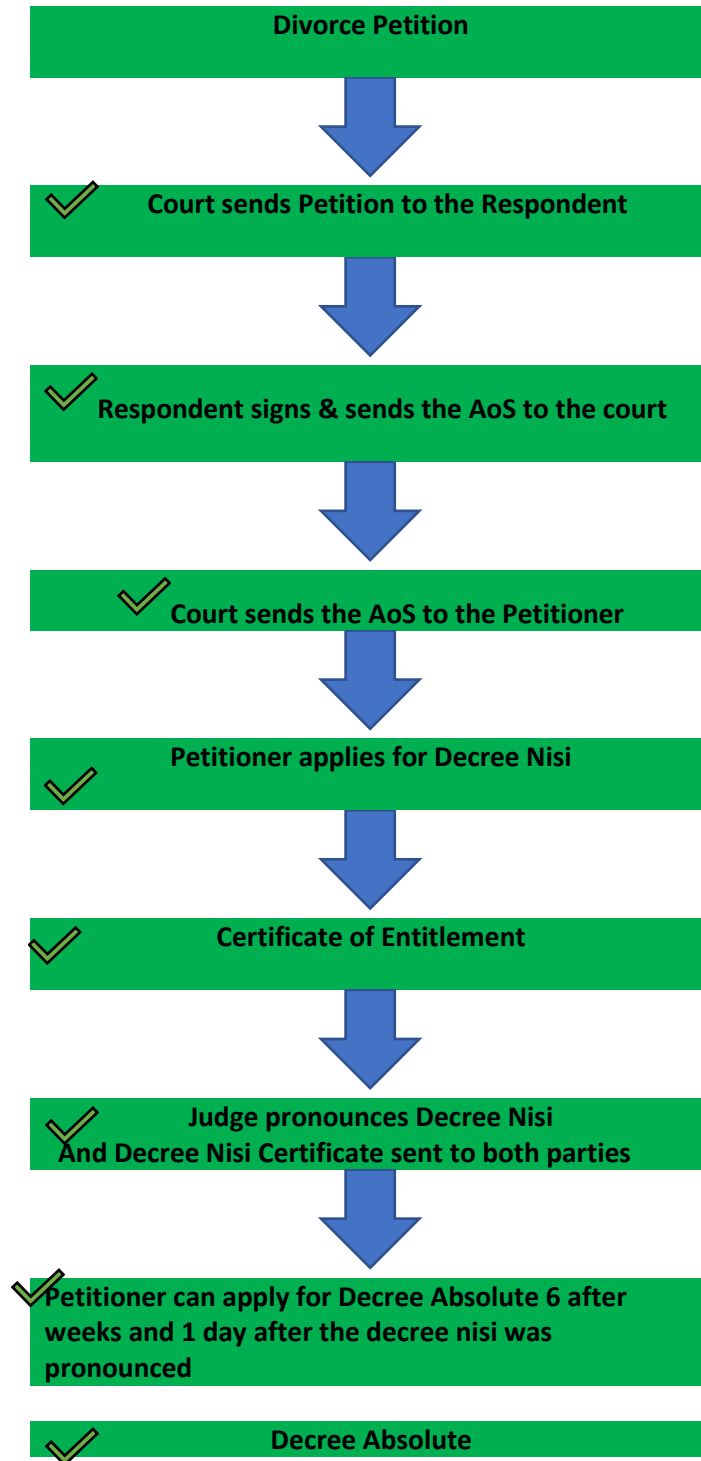
Decree Absolute

Once six weeks have passed from the date of your decree nisi was pronounced and once you have your consent order/financial remedy order is approved by the court you can move to the final stage of your divorce, the decree nisi.



Rita and Del, receive their approved consent order. Once six weeks pass from the pronouncement of the decree nisi, I help them to complete the decree absolute and send this to court. When they get the decree absolute certificate through the post, they are divorced. They are free to re-marry and their finances are sorted as well so they never need to worry about the other coming back to claim money from them.

YOU ARE DIVORCED!!



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On the face of it, divorce is a simple process, but with the potential of so many things going wrong. It is a difficult and emotional time – I know I have been through it. It was after my messy, expensive divorce that I decided to make it my mission to assist people in similar situations.

If you are going through a divorce, get in touch on **0800 177 7702** or email me: cs@divorcenegotiator.co.uk. I will be happy to speak to you on the phone and talk you through how I can help you. There is no cost obligation.

Here are what some of my clients had to say about the service:

“Carol and I have become friends. She was always there; always understanding. She has remarkable insight. I needed a reality check sometimes and needed to let off steam. She was always there for me. She has a heart of gold – even when I needed my backside kicked. She’s a real pro; she tells you like it is. Can solicitors do that?”

“Carol at Divorce Negotiator made every step so easy. Meeting around the table made so much sense. With the same negotiator, my ex knew exactly what I was getting sent in the post for the process and he saw what I was getting. With Carol’s help, we split the business straight down the middle, concentrating on the elements of the business that each of us did best.”

“Divorce Negotiator always considers that the client comes first, not building up huge fees. I know that solicitors would have taken advantage of my state of mind at the time.

I highly recommend Divorce Negotiator to enable you to have that amicable, sensible and respectful divorce.”

<http://www.divorcenegotiator.co.uk/>

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Let me show you exactly what you need to do, without cost or obligation on FREE CASE ASSESSMENT call.

In just 30 minutes I will be able to find out all I need from you to explain the next steps that you should take to progress your divorce. as quickly as possible.

I have been doing this for many years, so I can cut through all of the clutter to get you moving forwards in the right direction extremely quickly – without courts and solicitors.

I look forward to speaking with you.

Call me on 0800 177 7702 or email me: cs@divorcenegotiator.co.uk

Carol Sullivan

Divorce Negotiator