

# *How long does it take to get a divorce?*

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**Even if a divorce/dissolution is going to be straightforward I would always allow at least seven months.**

The procedure is as follows: The Petitioner, or their solicitor, should advise the Respondent that proceedings are about to be issued. It is considered bad practice not to do so. The divorce/dissolution petition is then sent to the court together with a Statement of Arrangements for children which sets out where the children will live and how often they will see their other parent.

The court will send copies of the documents to The Respondent. They then have fourteen days to return their Acknowledgement of Service to the court.

This is when things can slow down. The Respondent may not be emotionally ready to be divorced and may ignore the documents. If that is the case then the court bailiff may be instructed to serve the documents personally. If the Respondent still ignores the procedure the court will be asked to give permission for the matter to proceed without input from the Respondent.

Sometimes the Respondent may object to the allegations made against them and may consider defending the divorce. This would be a very costly option and one which the courts discourage. If you accept that a marriage/civil partnership is over then there is little point in defending the petition. Why on earth would you want to go to court and give evidence against each other in relation to the private life that has been your marriage or partnership? Imagine the stress and humiliation of that! Instead ask your solicitor to draft a short statement stating that whilst you do not accept the allegations made against you, you will not defend the petition.

At this stage there is often a dispute as to who will pay the Petitioner's costs. If the Petition is based upon the Respondent's adultery or unreasonable behaviour then the Petitioner is going to feel aggrieved having to pay court fees and their own solicitor's fees. Therefore the court is often asked to order that the Respondent be ordered to pay those costs.

Once the Respondent has returned the Acknowledgement of Service to the court (i.e. their response to the petition) the Petitioner can then apply to the court for Decree Nisi. This is the stage where the judge will confirm whether or not he/she thinks that you have sufficient grounds to obtain a divorce/dissolution. The judge will also make an order in relation to costs and may request further information about the care of the children. Once the judge gives the go ahead your case will be listed with lots of other divorces so that Decree Nisi can be pronounced.

This is the public bit. If you haven't informed your family or friends that you have filed for divorce you had better tell them now. The local press will print the list of Decree Nisis pronounced, you are about to be famous!

Once you have your decree Nisi you have to wait six weeks and one day before you can apply for Decree absolute.

**A word of warning, do not book your next wedding until you have your Decree Absolute in your hand! And do not re-marry until you have sorted out your finances using a solicitor. Even if you think you have nothing to sort out seek advice before remarrying.**