

What do I have to prove to obtain a dissolution?

You must be able to prove to the Court that your civil partnership has irretrievably broken down because of one of the following reasons:

- Your partner's behaviour has been so unreasonable you can no longer tolerate living with them
- Your partner deserted you at least 2 years ago
- You and your partner have lived apart for 2 years and they agree to a dissolution or
- You and your partner have lived apart for at least 5 years

How long will it take to get a dissolution?

The procedure begins by lodging a 'Dissolution Petition'. From this point it usually takes 2 to 3 months to reach the stage when a Conditional Order is pronounced. After this there is a 6-week waiting period before the person who has commenced the proceedings can apply for a Final Order. Once a Final Order is obtained, your civil partnership will formally be at an end. If the person who has commenced the proceedings has not applied for a Final Order at the appropriate time, the other party can apply for a Final Order three months after this initial 6-week period has elapsed. It is often advisable to hold off completing the dissolution until finances are agreed. Financial settlements and disputes with regard to children may take longer to resolve depending upon the circumstances involved.

Financial matters

Financial matters are usually resolved during the dissolution procedure. If reaching a financial settlement takes longer than the dissolution procedure, it is often best practice to hold off completing the dissolution until finances are agreed. If you have already resolved financial matters with your partner and now wish to obtain a dissolution, it is advisable to embody your financial agreement in a Consent Order approved by the Court in the course of dissolution proceedings, so that the agreement becomes legally binding.

Will I have to attend court?

The procedure involved in ending your civil partnership is largely administrative and usually you will not have to attend Court. If you cannot agree with your civil partner about financial matters or about arrangements for the children, you may have to attend a Court hearing.

Mediation

This is a way of encouraging parties to reach agreement about financial matters or arrangements for children by discussing matters with an independent trained Mediator. If you are considering Mediation, you will be asked to a meeting on your own with a Mediator to assess your suitability for Mediation. If the Mediator feels that your situation is suitable for mediation a further meeting will

be arranged so that you and your partner can discuss matters with a Mediator. Mediation does not replace legal advice and we would urge you to seek legal advice in addition. It is hoped that if you and your partner reach a decision together about financial matters or arrangements for the children, you will be happier with this solution rather than if it was imposed by the Court.

Collaborative Law

Each person appoints their own Collaborative lawyer and you and your lawyer have face to face meetings with your partner and their Collaborative lawyer, to try and find the best solution for the family as a whole.

The traditional route

Your solicitor will try to negotiate an agreement on your behalf by writing to your partner's solicitor or speaking to them on the telephone.

It is hoped that if you and your partner reach a decision together about financial matters or arrangements for the children, you will be happier with this solution rather than if it was imposed by the Court.

How much will it cost?

A basic dissolution costs £500.00 plus V.A.T. and a £410.00 court fee. Costs will be more if you wish to obtain a financial order or require advice about your children.



For Further Information Contact Nicola Matthews

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