

How to Start Divorce Proceedings in England and Wales – Step by Step Guide

This guide provides a clear breakdown of how to start divorce proceedings in England and Wales, step by step. It's designed to help you understand the legal process and avoid common pitfalls.

Step by Step:

- 1 **Check eligibility:** You must have been married for at least 1 year and have a permanent connection (jurisdiction) to England or Wales.
- 2 **Decide on sole or joint application:** You can apply alone (sole application) or together (joint application).
- 3 **Apply online via HMCTS portal:** Most applications are made online. You'll need your marriage certificate and to complete the divorce application form.
- 4 **Pay the court fee:** The fee is currently £593 (as of 2025). If you're on a low income, you may be eligible for help with fees.
- 5 **Service of application:** If it's a sole application, the court sends the papers to your spouse (the respondent). They must acknowledge receipt.
- 6 **20-week cooling-off period:** There's a mandatory 20-week wait between the application and the conditional order. This is designed to give time for reflection or negotiation.
- 7 **Apply for Conditional Order:** Once 20 weeks have passed, you can apply. This is where the court agrees you're entitled to a divorce.
- 8 **Apply for Final Order:** Six weeks and one day after the Conditional Order, you can apply for the Final Order. This legally ends the marriage.

Common Mistakes to Avoid

- Not sorting out finances before Final Order – this can cause serious problems later.
- Assuming bad behaviour will impact financial outcome – divorce finances are about needs and fairness, not blame.
- Delaying financial disclosure – this can slow down negotiations and increase costs.

Always seek independent legal advice where possible, particularly if you have children or complex assets. For more information, visit the official UK Government website at www.gov.uk/divorce.