

Divorce/dissolution/ (judicial) separation petition

| To be completed by the Court | |
|------------------------------|--|
| Name of court | |
| Case No. | |
| Date received by the court | |
| Date issued | |
| Time issued | |
| Fee charged/ Remission ID | |

Notes to Petitioners

- This form should be used if you are making an application to the court for divorce/dissolution to end your marriage or civil partnership or (judicial) separation from your spouse or civil partner.
- Before completing this form, please read the supporting notes (D8Notes) for guidance on how to complete this form.
- Please answer all questions. If you are unsure of the answer to any question, or you do not think that it applies to you, please indicate this on the form.
- If there is not enough room on this form, you may continue on a separate sheet. Please put your name, the Respondent's (your spouse/civil partner) name, and the number of the Part the information relates to, at the top of your continuation sheet.
- If completing this form by hand, please use **black ink and BLOCK CAPITAL LETTERS** and tick the boxes that apply.

See the supporting notes for guidance on how to complete this section

I, (please state your full name)

apply for a divorce

dissolution

(judicial) separation

in respect of my marriage

civil partnership

and give the following details in support of my application.

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Part 1 About you (the Petitioner) and the Respondent (your spouse/civil partner)

See the supporting notes for guidance on how to complete this section

Petitioner

My current name is

First name(s) (in full)

Last name

My address is (including postcode)

| | | | | | | | | | |
|----------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| | | | | | | | | | |
| Postcode | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

My date of birth is

| | | | | | | | | | |
|----------------------|----------------------|---|----------------------|----------------------|---|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | / | <input type="text"/> | <input type="text"/> | / | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
|----------------------|----------------------|---|----------------------|----------------------|---|----------------------|----------------------|----------------------|----------------------|

My occupation is

I am

male female

Respondent

The Respondent's current name is

First name(s) (in full)

Last name

The Respondent's address is (including postcode)

| | | | | | | | | | |
|----------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| | | | | | | | | | |
| Postcode | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

The Respondent's date of birth is

| | | | | | | | | | |
|----------------------|----------------------|---|----------------------|----------------------|---|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | / | <input type="text"/> | <input type="text"/> | / | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
|----------------------|----------------------|---|----------------------|----------------------|---|----------------------|----------------------|----------------------|----------------------|

The Respondent's occupation is

The Respondent is

male female

Part 2 Details of marriage or civil partnership

See the supporting notes for guidance on how to complete this section

On the _____ day of _____ [19] [20]

(insert your name exactly as it appears on your marriage/civil partnership certificate)

married formed a civil partnership with

(insert the name of the Respondent exactly as it appears on your marriage/civil partnership certificate)

at

(insert the place where the marriage/civil partnership was formed, exactly as it appears on your marriage/civil partnership certificate)

A certified copy of your marriage/civil partnership certificate must be sent to the court with this completed petition (see supporting notes for guidance).

Part 3 Jurisdiction

See the supporting notes for guidance on how to complete this section

The Respondent and I last lived together as spouses civil partners
at

| |
|---------|
| Address |
|---------|

The court has jurisdiction to hear this case under

- Article 3(1) of the Council Regulation (EC) No 2201/2003 of 27 November 2003
or
 the Civil Partnership (Jurisdiction and Recognition of Judgments) Regulations 2005
or
 The Marriage (Same Sex Couples)(Jurisdiction and Recognition of Judgments) Regulations 2014

on the following grounds

- The Petitioner and Respondent are both habitually resident in England and Wales and/or
 Other (please state any other connection(s) on which you wish to rely)

| |
|--|
| |
|--|

or

- The court has jurisdiction other than under the Council Regulation on the basis that no court of a Contracting State has jurisdiction under the Council Regulation and the Petitioner Respondent is domiciled in England and Wales on the date when this application is issued

or

- The court has jurisdiction other than under the Marriage (Same Sex Couples) (Jurisdiction and Recognition of Judgments) Regulations 2014 or under the Civil Partnership (Jurisdiction and Recognition of Judgments) Regulations 2005 on the basis that no court has, or is recognised as having jurisdiction as set out in these regulations, and

either:

- the Petitioner or the Respondent is domiciled in England or Wales

or

- the Petitioner and Respondent registered as civil partners of each other in England or Wales or in, the case of a same sex couple, married each other under the law of England and Wales and it would be in the interests of justice for the court to assume jurisdiction in this case.

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Part 4 Other proceedings or arrangements

See the supporting notes for guidance on how to complete this section

- There are and/or have been
- proceedings in any court in England and Wales or elsewhere with reference to the
 - marriage
 - civil partnership
 - or to any child of the family
 - or between the Petitioner and Respondent with reference to any property of either or both of them
- (please enter details below)

or

- no other proceedings in any court in England and Wales or elsewhere.

- This is an application based on five years' separation and
- agreement has been made or is proposed to be made between the parties for the support of
 - the Petitioner
 - the Respondent
 - and any child of the family
- (please enter details below)

or

- no agreement has been made or is proposed to be made.

Part 5 The fact(s)

See the supporting notes for guidance on how to complete this section

I apply for a

- divorce on the ground that the marriage has broken down irretrievably, or
- dissolution on the ground that the civil partnership has broken down irretrievably, or
- (judicial) separation

and

I rely on the following fact(s) in support of my application:

- The Respondent has committed adultery and the Petitioner finds it intolerable to live with the Respondent (this fact is not applicable in relation to a civil partnership) (only conduct between the respondent and a person of the opposite sex may constitute adultery for this purpose)
- The Respondent has behaved in such a way that the Petitioner cannot reasonably be expected to live with the Respondent
- The Respondent has deserted the Petitioner for a continuous period of at least two years immediately preceding the presentation of this petition
- The parties to the marriage/civil partnership have lived apart for a continuous period of at least two years immediately preceding the presentation of the petition and the Respondent consents to a decree/order being granted
- The parties to the marriage/civil partnership have lived apart for a continuous period of at least five years immediately preceding the presentation of the petition.

Part 6 Statement of case

See the supporting notes for guidance on how to complete this section

(in all cases, please state briefly any relevant details about the fact(s) on which you rely)

Part 7 Details of the children

See the supporting notes for guidance on how to complete this section

If you cannot agree arrangements for your children, you can make an application under the Children Act 1989. Please see leaflets CB1 Children and the family courts and CB7 Guidance for separated parents: Children and the family courts.

| Children of the family | | Over 16 but under 18 and in education, training or working full time | (a) Child of both parties | (b) Other child of the family |
|------------------------|---|--|------------------------------|----------------------------------|
| | Date of birth (or state if over 18) | | | |
| Child 1 | <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> DD / MM / YYYY </div> <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Child 2 | <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> DD / MM / YYYY </div> <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Child 3 | <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> DD / MM / YYYY </div> <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Child 4 | <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> DD / MM / YYYY </div> <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Child 5 | <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> DD / MM / YYYY </div> <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Child 6 | <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> DD / MM / YYYY </div> <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Part 8 Special assistance or facilities if you attend court

See the supporting notes for guidance on how to complete this section

If you are required to attend court during these proceedings will you need any special assistance or facilities?

Yes (please supply details below) No

| |
|--|
| |
|--|

Part 9 Service details

See the supporting notes for guidance on how to complete this section

- I am not represented by a solicitor in these proceedings
- I am not represented by a solicitor in these proceedings but am receiving advice from a solicitor
- I am represented by a solicitor in these proceedings, who has signed Part 10, and all documents for my attention should be sent to my solicitor whose details are as follows:

Box 1 Solicitor's details

| | | | |
|--|----------------------|----------------------|--|
| Name of solicitor | | | |
| Name of firm | | | |
| Address to which all documents should be sent for service: | Telephone no. | | |
| | Fax no. | | |
| | DX no. | | |
| | Your ref. | | |
| Postcode | <input type="text"/> | <input type="text"/> | |
| E-mail | | | |

Box 2 Petitioner's address for service

| |
|--|
| Address (including postcode) |
| Postcode <input type="text"/> <input type="text"/> |

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Box 3 Respondent's address for service

Address (including postcode)

Postcode

Box 4 Co-Respondent's details, if any

(please see the Guidance Notes for this form on the need to name the correspondent)

- There is no Co-Respondent
- There is a Co-Respondent whose details are as follows:

| | |
|--|--|
| First Name | |
| Last Name | |
| Address (including postcode) | |
| Postcode <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | |

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Part 10

See the supporting notes for guidance on how to complete this section

Prayer

The Petitioner therefore prays

(1) The application

That the marriage civil partnership be dissolved

or

That the Petitioner be (judicially) separated from the Respondent.

(2) Costs (if you wish to claim costs from the Respondent or Co-Respondent)

That the Respondent Co-Respondent shall be ordered to pay the costs of this application

(3) Financial Order (if you wish to make an application for a Financial Order)

(a) That the Petitioner may be granted the following Financial Order(s):

an order for maintenance pending suit/outcome

periodical payments order

secured provision order

lump sum order

property adjustment order

order under section 24B, 25B or 25C of the Matrimonial Causes Act of 1973/paragraph 15, 25 or 26 of Schedule 5 to the Civil Partnership Act of 2004 (Pension Sharing/Attachment Order) or section 25F or section 21B of the 1973 Act or paragraph 19B or paragraph 34A of the 2004 Act (Pension Compensation Sharing/Attachment Orders)

(b) **For the children**

a periodical payments order

a secured provision order

a lump sum order

a property adjustment order

Signed

Petitioner [’s Solicitor]

Dated

 / /