

Divorce

We will conduct your divorce by assisting you and your spouse to achieve as swift and painless resolution to your differences as soon as possible.

It is important to separate the divorce process itself from the issues of children and finances, which will be dealt with separately by the Court.

Is divorce the only way?

No. We will discuss alternatives with you and offer you information about local services that can help.

The Law

You cannot apply for a divorce under English law until you have been married for at least one year. Your marriage must have broken down irretrievably because of one or more of five facts:

- **Adultery** – Your spouse has committed adultery and you find it intolerable to live together. It is not necessary to name the other person
- **Unreasonable behaviour** – Your spouse has behaved in such a way that you cannot reasonably be expected to live together
- **2 years' separation with consent** – You have been separated for more than 2 years and your spouse agrees to a divorce
- **5 years' separation** – If you have been separated for more than 5 years you do not need your spouse's consent
- **2 years' desertion** – Your spouse deserted you more than 2 years ago

If you live together for more than 6 months after either the last act of unreasonable behaviour or after you discovered the last act of adultery, then you cannot get a divorce based on this. Similarly, a period of separation is discounted if you live together again for a period of 6 months.

We will guide you through the divorce process from start to finish and keep you updated along the way.

Your will

If you have no will and die before the divorce is made final your estranged spouse will receive your legacy. If you have a will you should review it, as it may no longer reflect your wishes.

If you wish to have a will written or you want to discuss your changing needs with Iain Wanstall, our wills expert, please contact us.

Contact our divorce solicitors or Iain today on [01727 858807](tel:01727858807) or email: cst@labrums.co.uk to discuss how we can help you