

Family Law Divorce Jargon Buster.

Here is a useful guide to some of the most common phrases and terms used in divorce proceedings.



| Legal Terms | Definitions |
|---------------------------|---|
| Acknowledgment of Service | This is a form which is completed by your spouse once divorce proceedings have been issued and sent to them by the Court. It confirms that they have received the divorce petition and if they agree with it. This can be completed online. |
| Behaviour particulars | Examples set out in a divorce petition about the other spouse detailing their unreasonable conduct. It is usual to set out 5 or 6 examples. Your Solicitor will ask you to provide a brief history of examples and will draft the particulars for you. They will normally be agreed with your spouse before the petition is submitted to the Court. From April 2022 when the law changes then it should not be necessary to provide that information to the Court (see no fault divorce). |
| Contested divorce | This is where the Respondent spouse to the proceedings does not agree with the grounds for divorce and wants to defend the proceedings. From April 2022 it is likely that this will no longer be an option for parties. |
| Co-Respondent | The person with whom a spouse has allegedly committed adultery. They are (rarely) named in divorce proceedings and they then become a party to the divorce proceedings. From April 2022 when the law changes, it will not be necessary to provide that information to the Court (see no fault divorce). |
| Decree Absolute | This is the final stage of the divorce and legally brings the marriage to an end. |
| Decree Nisi | This is the first stage of the divorce and the point at which a Judge has decided that you are entitled to a divorce and that you have proved the contents of your petition. It is usually at this stage that the divorce "pauses" whilst financial matters are then dealt with. |
| Divorce suit costs | The legal costs and fees which are incurred by the parties in relation to the divorce. These are separate to any costs relating to financial or children matters. The costs are usually set at a fixed fee and include a Petition fee to the Court. It is often the case that those costs are shared between the parties. |
| Divorce Petition | This is the document completed by your Solicitors to start the divorce proceedings. It is compulsory now to make this application on-line. It includes personal details and the details of the marriage. A copy of the marriage certificate will also need to be submitted to the Court. |

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| Judicial Separation | A formal separation administered through the Court. This is only usually used when parties don't wish to start divorce proceedings for religious reasons. |
| No fault divorce | In April 2022 the law should change so that it will no longer be necessary to give a reason to the Court for a divorce ie. behaviour/adultery etc. More information will be provided when the process has been determined. No fault divorce is designed to make the divorce process more amicable and streamlined. |
| Petitioner | The party who makes the application to the Court for divorce. |
| Respondent | The other spouse who receives the application for divorce from the Court. |


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