



How to Get a Divorce in England and Wales

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The Complete Step-by-Step Guide

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The good news is that the divorce process in England and Wales has been made simpler than it used to be. It also does not impart blame as a requirement as it used to. This is what used to inflame the spouses and cause a "it's your fault" mentality that was often used against the other person in the following proceedings. Since the introduction of no-fault divorce, couples no longer need to assign blame or prove wrongdoing to legally end their marriage.

This guide explains every stage of the divorce process, including who can apply, how long divorce takes, what it costs, and what happens next. Whether you're just beginning to consider divorce or are ready to submit an application, this article will help you understand your options.

What Is No-Fault Divorce?

No-fault divorce allows either spouse, or both spouses together, to apply for a divorce without having to prove adultery, unreasonable behaviour or separation. Instead, applicants simply state that the marriage has broken down irretrievably. This change has helped reduce conflict and allows many couples to focus on resolving practical matters such as finances and arrangements for children rather than arguing over who was responsible for the breakdown of the marriage.

Who Can Apply for a Divorce?

You can usually apply for a divorce in England and Wales if:

- Your marriage is legally recognised in the UK.
- You have been married for at least one year.
- Your relationship has permanently broken down.
- The courts in England or Wales have jurisdiction over your case.

You can submit either:

- A sole application, where one spouse starts the divorce.
- A joint application, where both spouses apply together.

Step 1 - Prepare Before Applying

Before starting the application, it helps to gather:

- Your marriage certificate.
- Your spouse's full name and address.
- Information about any children.
- Details of your finances if financial arrangements will need to be agreed later.

Remember that divorce itself does not decide how assets, pensions or property are divided. These are separate legal matters.

Step 2 - Submit Your Divorce Application

Applications are made online through the government divorce service.

The application asks for basic information about you, your spouse and your marriage.

After submitting the application and paying the court fee, the court serves the application on the other spouse if it is a sole application.

Step 3 - Acknowledgement

If one person has applied, the other spouse is asked to acknowledge receipt of the application.

This is not an opportunity to contest whether the marriage has broken down, except in very limited circumstances.

Step 4 - The 20-Week Reflection Period

Once the application has been issued, there is a mandatory 20-week waiting period before applying for a Conditional Order.

This period allows couples time to reflect on their decision and, where appropriate, discuss important matters including:

- Financial settlements

- Property
- Child arrangements
- Mediation

Step 5 - Apply for the Conditional Order

The Conditional Order confirms that the court sees no legal reason why the divorce cannot proceed.

Although you are not yet legally divorced, this is an important milestone.

Many couples finalise financial agreements around this stage.

Step 6 - Apply for the Final Order

At least six weeks after the Conditional Order has been granted, you can apply for the Final Order.

Once the Final Order has been issued, your marriage legally ends.

It is often sensible to seek legal advice before applying for the Final Order if financial matters have not yet been resolved.

How Long Does Divorce Take?

Every case is different, but a straightforward divorce generally takes around seven to nine months.

Delays may occur if:

- Financial disputes arise.
- One party delays responding.
- Court processing times increase.
- Additional applications become necessary.

How Much Does Divorce Cost?

The overall cost depends on how much professional support you need.

Typical costs may include:

- Court application fee.
- Solicitor's fees.
- Mediation fees.
- Financial consent order fees.

An amicable divorce resolved through mediation is often significantly less expensive than contested court proceedings.

What Happens to Finances?

Divorce legally ends the marriage but does not automatically divide assets.

Financial matters can include:

- The family home
- Savings
- Investments
- Pensions
- Businesses
- Debts

Many couples formalise agreements through a Financial Consent Order, providing legal certainty for the future.

What About Children?

The court expects parents to prioritise the welfare of their children.

Parents are encouraged to agree arrangements covering:

- Where children will live.
- Time spent with each parent.
- School holidays.
- Education.
- Financial support.

If agreement cannot be reached, mediation is usually encouraged before court proceedings.

Can We Avoid Going to Court?

Yes.

Many couples resolve issues through family mediation.

Mediation can help couples reach agreements about finances and children without lengthy court disputes. It is often quicker, less stressful and less expensive than litigation.

Using an app like Divorcify will help you keep track of all the key information, evidence, hearing dates, directions and orders made.

Common Mistakes to Avoid

People often make the following mistakes during divorce:

- Making emotional financial decisions.

- Ignoring pensions during financial negotiations.
- Failing to obtain a legally binding financial order.
- Using children as bargaining tools.
- Relying solely on informal agreements.
- Not seeking professional advice when needed.

Avoiding these mistakes can save considerable time, money and stress.

Frequently Asked Questions

Can my spouse stop the divorce?

In most cases, no. Under the no-fault divorce system, it is extremely difficult to contest a divorce application.

Can we still live together while divorcing?

Yes. Living arrangements do not necessarily prevent a divorce application.

Do we both need a solicitor?

Not always. Some couples only require mediation or limited legal advice, while others benefit from each having independent legal representation.

Is mediation compulsory?

Not in every case, but it is encouraged and may be required before certain family court applications relating to finances or children.

Final Thoughts

Although divorce is a significant life event, understanding the legal process can make it much less daunting.

Whether your divorce is straightforward or more complex, obtaining the right advice early can help protect your finances, reduce conflict and make the process smoother for everyone involved.

If you're unsure where to begin, Divorcify can help you compare experienced divorce solicitors and family mediators, allowing you to find the right professional support for your circumstances.