



How to Prepare for Divorce in England and Wales

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What are the key things you need to do when preparing for divorce in the UK

Preparing for divorce can feel overwhelming, particularly when you are also dealing with changes to your home, finances and family life.

The steps you need to take will depend on your circumstances. A couple with children, property, pensions or business interests may need to address more issues than a couple with few shared responsibilities. The process can also become more difficult when communication has broken down.

Understanding the different parts of a separation can help you prepare for divorce and identify where professional advice may be valuable.

Video: How to Prepare for Divorce in England and Wales

<https://www.youtube.com/watch?v=2gfzsl1pGE0>

Understand what the divorce process covers

The divorce application legally ends your marriage. It does not automatically determine:

- where your children will live
- how much time they will spend with each parent
- what happens to the family home
- how savings, pensions or debts will be dealt with
- whether either person will provide continuing financial support

These matters may need to be agreed or addressed separately.

In England and Wales, a divorce application can be made jointly or by one spouse alone. The marriage must have lasted for at least one year and have broken down permanently. A spouse cannot prevent the divorce simply because they do not want it, although an application can be disputed for limited legal reasons. GOV.UK

explains the current divorce process.

Decide whether to apply jointly or alone

A joint application may be appropriate when you both agree that the marriage should end and can cooperate with the administrative process. A sole application may be more suitable when communication is difficult or one person does not wish to participate.

Making a joint application does not mean that you must already agree about children or finances. Those issues remain separate.

The divorce process normally takes at least seven months, even when both spouses cooperate, because statutory waiting periods apply. Delays can occur if forms are incomplete or one person does not respond promptly. Current timings are available from GOV.UK.

Gather important documents

Organising your documents early can make it easier to understand your options and obtain useful professional advice. Using Divorcify the UK's only dedicated divorce app this will hopefully make this process infinitely easier.

Relevant records may include:

- your marriage certificate
- identification and contact details
- mortgage statements or tenancy documents
- recent bank and credit card statements
- payslips, tax returns or business accounts
- pension statements
- savings and investment records
- loan and other debt statements
- insurance policies
- details of property, vehicles and valuable possessions
- information about regular household expenditure

Keep copies somewhere private and secure. Do not attempt to access accounts or documents that you are not legally entitled to view.

Consider arrangements for your children

Divorce does not automatically result in a court deciding where children will live or how much time they will spend with each parent.

Where it is safe and practical, parents are generally encouraged to agree arrangements themselves. These discussions should focus on the children's needs, including their routines, education, health and relationships with both parents.

If you cannot agree, mediation may help. Before making many types of family court application, including an application for a child arrangements order using Form C100, the applicant will usually need to attend a Mediation Information and Assessment Meeting, known as a MIAM.

A MIAM is an initial meeting to consider whether mediation may be suitable. It does not require you to proceed with mediation. Exemptions may apply, including in some cases involving domestic abuse, urgency or child protection concerns. Official C100 and MIAM guidance is available from HMCTS.

Understand your financial position

Before discussing a financial settlement, build an accurate picture of the assets, income and liabilities held by both spouses.

This may include:

- property and mortgages
- bank accounts and savings
- investments
- pensions
- businesses or company interests
- insurance policies with a surrender value
- money owed to either person
- vehicles and valuable personal belongings
- credit cards, loans and other debts
- income and future financial needs

If financial remedy proceedings are started, both parties will usually complete Form E and provide supporting evidence. Sections 2.7 and 2.8 require cash sums exceeding £500 and personal belongings individually worth more than £500 to be listed. Other types of assets, including bank accounts, property, investments and pensions, are addressed separately and are not governed by that particular threshold.

Complete and accurate disclosure is essential. If you are unsure whether something should be included, seek legal advice rather than leaving it out.

Be open about financial information

Both parties may need to provide complete and accurate information about their finances when

working towards a settlement.

If contested financial remedy proceedings are started, each party will usually be required to complete Form E. This detailed financial statement covers property, debts, pensions, income, expenditure and future needs. Supporting documents will also be required. HMCTS provides the current Form E and guidance.

Form E is not automatically required simply because you are getting divorced. Different documentation may be used when an agreement has already been reached and the parties are asking the court to approve a consent order.

Consider formalising any financial agreement

An informal agreement between former spouses does not necessarily prevent either person from making financial claims later. You might want to save money during divorce but this part you cannot skip.

If you reach an agreement, a solicitor can help turn its terms into a draft consent order. The court can then consider whether to approve it. Timing can be important, especially where pensions are involved, so obtain advice before applying for the final divorce order.

GOV.UK provides guidance on asking the court to approve an agreed financial settlement.

Review your immediate practical needs

Separation can affect daily life before the divorce is completed. Consider:

- where each person will live
- how household expenses will be paid
- access to joint and personal accounts
- arrangements for children
- responsibility for mortgage, rent and debt payments
- insurance and nominated beneficiaries
- your immediate income and expenditure
- the security of personal documents and online accounts

Avoid making major financial decisions or disposing of assets without appropriate advice. Actions taken early in the separation may have consequences later.

Choose the right professional support

Different professionals can help with different aspects of divorce:

- A family solicitor can explain your legal position and help protect your interests.
- A mediator can help you explore possible agreements where mediation is safe and appropriate.

- A financial adviser can help you understand pensions, investments and longer-term planning.
- An accountant may be useful where businesses, complex income or tax issues are involved.
- A counsellor or support organisation can help with the emotional effects of separation.

Professional advice can be particularly important where there are concerns about safety, hidden assets, international connections, business interests or significant disagreement.

Take one step at a time

You do not need to resolve every issue immediately. Start by understanding your circumstances, gathering information and identifying the decisions that may have lasting consequences.

Preparing carefully cannot remove every difficulty, but it can help you ask better questions, avoid rushed decisions and approach the process with greater clarity.

This article provides general information about divorce in England and Wales. It does not constitute legal, financial or medical advice. Different procedures apply in Scotland and Northern Ireland, and individual circumstances vary.