

WHERE AM I IN THE DIVORCE PROCESS?

Petition Issued

- Petition and 'Acknowledgement of Service' (AoS) form sent to Respondent by 1st class post.
- The Respondent is requested to complete & return this form to the court within 7 days.
- Please note the court will not chase the Respondent for the completed form.

AoS received by court

Petitioner sent a copy with their Application for Decree Nisi forms D84 & D80.

Applying for Decree Nisi

- Complete forms D84 & D80. The AoS must be attached and marked "A" if signed by Respondent - no fee required
- Returned Application is referred to Judge.
- Please allow a minimum of 4 weeks for the court to process this application; refer to Why haven't I heard anything?

Decree Nisi (DN) Hearing Date

- When Judge has approved application, letter confirming date of DN hearing is sent to both parties; 4 weeks notice usually given.
- No need to attend hearing unless there are objections.

Applying for Decree Absolute (DA)

- Petitioner: D36 & no fee required, received no earlier than 6 weeks and 1 day after Decree Nisi.
 - > D36 sent out with DN certificate.
 - Court processes DA on day of receipt.
- Respondent: can apply with D11, D36 and £155 fee received by court no earlier than 3 months after the 6 weeks and 1 day has expired. A hearing may be required and therefore transferred to a local court.
- This is the final part of the divorce process.

No response from Respondent?

It may be longer than the stated 14 days before receiving the AoS due to court workloads; please refer to **Why haven't I heard anything?**

The Petitioner may apply to the court for the following:-

- Bailiff Service: D89 & £110 fee
 If Bailiff is successful, the Petitioner will be
 able to apply for Decree Nisi.
- Deemed Service: D11 & £50 fee
 The Petitioner can apply to the court for the divorce papers to be considered as having been received by the Respondent.
- Dispense with Service: D11, D13B & £50 When the Petitioner has no knowledge of the Respondent's whereabouts.

See leaflet D184 for more information.

Note. For any of the above, evidence may be required in support of the application.

Why has my Decree Nisi application been refused?

Judge not satisfied with application – further information & instructions will be sent to the Petitioner

Note. Re submitted applications for Decree Nisi will join the back of the application queue and will mean a delay in the divorce process.

Why haven't I heard anything?

Due to variable workloads, timescales for processing individual forms and applications may change.

We do not confirm receipt of forms or when they have been passed to the Judge for consideration

Please do not duplicate any emails or letters to court – we will answer as soon as possible.

Before contacting the court for an update, please email the address below for current work timescales.

BuryStEdmundsInformation@hmcts.gsi.gov.uk

FURTHER USEFUL INFORMATION

Processing of Documents

- Work, including amended paperwork and further information requested by court, is processed according to the date it is received
- No Fast-Track service is available.
- Cases do not have specific case handlers; work is dealt with by a pool of Divorce Centre staff.

I Require a Financial Consent Order

- The court strongly suggests obtaining legal advice before submitting a financial consent order.
- Documents can be submitted to the court after the Decree Nisi is pronounced.
- 3 copies of the draft consent order, D81 completed by both parties and a Form A marked 'For Dismissal Purposes Only' are required with the £50 fee.
- Please allow at least 4 weeks for the court to process any financial applications.
- Any consent orders which have been refused by a judge will go to the back of the queue when re submitted.

I Require a Copy of a Document

If you know your case number there is a fee of £10 for a copy of the following:

- Petition
- Decree Nisi
- Decree Absolute

Ways to Pay

- Cheque/Postal Order made payable to HMCTS.
- Card payment include contact number to take payment when submitting the application.
- You may be eligible for Help with Fees if you are on a low income; please complete an EX160.

Contact

Tel: 0300 303 0642 8.30am-5pm, Mon-Fri Email: divorceunitbse@hmcts.gsi.gov.uk

Postal: Divorce Centre, Triton House, St Andrew Street (N), Bury St Edmunds, Suffolk, IP331TR

No counter service is available.