



## Ending your Civil Partnership

At Wards Solicitors, our family lawyers are experienced in providing practical and supportive advice and can help you identify and prioritise the issues. We have further factsheets on finances, children and injunctions. The information in those factsheets apply to both divorces and Civil Partnership dissolutions. If you have any questions, please contact us.

Obtaining a dissolution order to end a Civil Partnership is usually straightforward, particularly if the couple agrees that the partnership is over. Difficulties tend to arise in resolving practical issues such as how to separate, where to live, arrangements for children and money matters. Outlined below is a summary of the dissolution process highlighting key points and sets out a typical timetable.

### Who can start dissolution proceedings?

Anyone who has been in a formal Civil Partnership for over a year, provided one of the couple either currently lives in or has lived in England or Wales during the preceding year. It does not matter where the partnership was made. If less than a year has gone by since the Civil Partnership – or if you don't want to end the Civil Partnership – you can apply for a Separation Order which gives the court the authority to deal with financial issues.

### On what grounds can a Civil Partnership be dissolved/a separation order be made?

There is just one ground; the Partnership must have irretrievably.

The difference between dissolution and separation proceedings is that at the end of the latter, the Civil Partnership still exists and therefore neither of you will be able to enter another Civil Partnership or marry until a dissolution order is obtained.

### If the partnership has irretrievably broken down, what happens next?

We will draft the paperwork to start the proceedings. Your Partnership Certificate has to be sent to us and a copy submitted to the court at the start of your case. It will be returned to you at the end.

### When are financial matters dealt with?

It is not necessary for financial discussions to be completed by the time the dissolution is final. Frequently they will still be in the early stages. However, it should at least be possible to resolve immediate problems and make any interim maintenance arrangements.

We may advise you to delay application for the Final Order until a financial settlement is ordered to protect your rights.

### Are the proceedings public?

Court proceedings in family law are usually private. This means that the public and press are not allowed access to the court papers. However, the press are able to publish the fact that a Conditional or Final Order has been pronounced. The information that they may disclose is very limited.

## Timetable for dissolution

### 1. After one year of partnership.

Either partner may start the proceedings. He or she is referred to as the Applicant. As at April 2022, you can also make joint Applications for a divorce within which the application is made by Applicant 1 and Applicant 2.

A court fee is payable, unless the Applicant is exempt (or in a joint application both Applicants).

### 2. Within a few days of sending the Petition to the court.

The court sends a copy of the Application to the other partner, (called the Respondent) or to his or her solicitor, if there is one. In joint Applications, this is not required.

### 3. From the date the documents are received the Respondent has time limits.

- Within 7 days.

The Respondent should send the court a Acknowledgement of Service form, which accompanied the Application.

### 4. On receiving the Acknowledgement of Service from the Respondent.

The court sends the Applicant's solicitor a copy of the acknowledgment of service.

### 5. The Applicant can apply for a Conditional Order to be pronounced.

The Applicant's solicitor can apply for the Conditional Order 20 weeks after the Application is issued at the Court.

### 6. If the Acknowledgement of service is not returned to the court.

Proof that the Respondent has received the application will have to be obtained before the Applicant can take the next step.

### 7. On receipt by the court of the application for a date for pronouncement of the Conditional Order.

A judge reviews the papers and usually pronounces the Conditional Order. This cannot be done before 20 weeks have passed from the date the Application is issued. The couple do not have to attend court.

### 8. At least six weeks after the Conditional Order.

- a) The Applicant may apply for the Final Order. This Order may be available as quickly as the same day.
- b) The Respondent may apply for the Final Order if the Applicant has not already done so. However, such an application is not automatically granted. If you are in this position as a Respondent we will provide you with full advice.

For more information on divorce and relationship breakdown please follow the link [wards.uk.com/divorce-and-family](https://wards.uk.com/divorce-and-family).