

No Fault Divorce Factsheet

The Divorce, Dissolution and Separation Act 2020 will become law on 6th April 2022 and brings with it long-awaited reforms which aim to reduce conflict and allow couples to focus on their children, property and finances when seeking a divorce, civil partnership dissolution or legal separation.

The new Divorce, Dissolution and Separation Act 2020 means that:

- It is no longer necessary to rely on one of the 'five facts' to prove that your marriage has irretrievably broken down. Previously these were unreasonable behaviour, adultery, 2 years' separation with consent of spouse, 5 years' separation without consent of spouse, or desertion. **These 'five facts' no longer apply.**
- The possibility of contesting the divorce has been removed. This means a statement of irretrievable breakdown cannot be challenged or dismissed.
- There is now an option to make a joint application for divorce, should you wish to do so. This can take a lot of animosity out of the process.
- The language used in divorce proceedings will be in plain English. Decree Nisi (confirmation that you are entitled to a divorce) will now be known as a Conditional Order and Decree Absolute will be known as the Final Order.
- The time period from submitting a statement of irretrievable breakdown is now 20 weeks. This allows the parties time to agree practical points surrounding the separation, such as child arrangements and finances. Once 20 weeks has elapsed a Conditional Order (previously Decree Nisi) can be applied for.
- From the Conditional Order there is an additional 6 week period before a Final Order can be applied for. This will dissolve the marriage or civil partnership.

These changes should hopefully minimise feelings of hurt and upset as a result of relationship breakdown and enable parties to address matters on an amicable basis.

If you would like advice about separation, divorce or financial settlements, we are here to help.

Please click [here](#) to get in touch with a member of our highly experienced, friendly Family Law team to arrange your free initial consultation and together we can help you begin to move forward and look to the future.

We would also remind you that it is advisable to have any Will made reviewed, and/or make a Will if one does not exist as divorce affects inheritance.