

## FIXED FEE NO FAULT DIVORCE

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The family team at Stevens & Bolton LLP can usually offer clients a fixed fee for dealing with their divorce.

The divorce costs are separate to those for dealing with any financial or children matters.

With the advent of no fault divorce on 6 April 2022, either one or both parties can apply to the court for a divorce.

If we make a sole application on behalf of our client included in the fixed fee of £650 + VAT are the following:

- Preparing the divorce application
- Advice on the response to the application completed by the respondent
- Applying for the conditional divorce order when the 20-week period of reflection has elapsed
- Applying for the final divorce order, which dissolves the marriage
- Advice in relation to the divorce and corresponding with the respondent's solicitors and the court in relation to the divorce

This fixed fee is on the basis that there are no unforeseen delays or complications. We reserve the right to charge for any extra unforeseen work incurred at our usual hourly rates. There will be additional costs in any of the following circumstances:

- If there are difficulties serving the divorce application on the respondent
- If the respondent disputes the basis of the divorce. There are now limited grounds to do so, including a dispute relating to jurisdiction, that the marriage has already been dissolved in another jurisdiction, or that there is valid marriage capable of being dissolved.

If we assist when both parties make a joint divorce application the fixed fee will be £800 + VAT. That will be the case even if the joint divorce application subsequently proceeds as a sole application (see our Obtaining a Divorce note). Included in that fee are the following:

- Preparing the divorce application if we act for the first applicant
- If we act for the second applicant, confirming on their behalf that the marriage has irretrievably broken down
- Applying solely or jointly for the conditional divorce order when the 20-week period of reflection has elapsed
- Applying solely or jointly for the final divorce order, which dissolves the marriage

- Advice in relation to the divorce and corresponding with the other applicant's solicitors and the Court in relation to the divorce

This fixed fee is agreed on the basis that there are no unforeseen delays or complications. We reserve the right to charge for any extra unforeseen work incurred at our usual hourly rates. There will be additional costs in any of the following circumstances:

- If the second applicant refuses to confirm the irretrievable breakdown of the marriage
- If the second applicant disputes the basis of the divorce. There are now limited grounds to do so, including a dispute relating to jurisdiction, that the marriage has already been dissolved in another jurisdiction, or that there is valid marriage capable of being dissolved.

A court fee is payable in addition to our fixed fee.

All divorce applications will be submitted online via the HMCTS portal. A court fee of £593 is currently payable for any divorce application whether sole or joint. This is payable in addition to our fixed fee. In the case of a joint application, the first applicant pays the court fee and a discussion may be required as to how that will be shared between the parties.

Additional fees or disbursements may be incurred for:

- Obtaining a duplicate marriage certificate
- Arranging for the translation and certification/notarisation of a foreign marriage certificate
- Personally serving the divorce application on a respondent
- Making additional court applications for deemed or substituted service if the respondent does not co-operate by responding to the divorce application
- Making an application for costs in the event that the respondent disputes the divorce

Please contact us to discuss your situation and we will be able to indicate whether a fixed fee will be possible in your case.

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## KEY CONTACT

For further information about any of the issues raised in this guide, please contact:

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The information contained in this guide is intended to be a general introductory summary of the subject matters covered only. It does not purport to be exhaustive, or to provide legal advice, and should not be used as a substitute for such advice.

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