

Partner Training – Divorce



HM Courts &
Tribunals Service

Multiple Touchpoint Service – Divorce – Network Partner Training Guide

November 2023

In this presentation



1. How to use this training pack
2. Potential service user vulnerabilities
3. Key terms
4. Overview of the process

In this presentation



5. Helping Applicant 1 in joint applications
6. Helping Applicant 2 in joint applications
7. Joint applicants' conditional order application
8. Sole applicant's conditional order application

01

How to use this training pack



How to support users to manage the new touchpoints of Divorce

This training pack expands on the 2022 Divorce training pack, and the two need to be used together. The expanded sections are highlighted in orange on the [Overview of the process](#) slide to show you where these new sections fit.

Separating couples can apply together for a divorce – the spouses are called applicant 1 and 2.

These slides show you how to support service users who have **already started an application for a divorce** and need to finalise it. The slides cover:

- How to help applicant 1 review applicant 2's response, confirm and submit the divorce application
- How to help applicant 2 review applicant 1's application and submit changes
- How to help joint applicants if their application for a conditional order has been rejected
- How to help a sole applicant if their application for a conditional order has been rejected

How to use this training pack cont.

We Are Group staff can offer support with shorter tasks in the process over the telephone (only if the service user also has a device).

Longer more complicated tasks will require face-to-face appointments with partner centres.

This training focusses on the longer more complicated tasks that you will be providing support on.

You will have access to other materials to help you support service users with any shorter tasks that they may need face-to-face support with.

If you are completing a **remote** support session, the user needs to have their own device. Your role is to verbally walk them through the process step by step. You cannot fill the form in on behalf of the remote user. They must complete a statement of truth on their own device and submit the form themselves

Changes to fees which will come into force on 08 April 2025 – increasing from £593 to £612

What does this mean for you?

- If a valid process is received before 08 April 2025 in a fit state to issue, then the old fee will apply even if it is actioned after the fee increase.
- A lot of payments are taken by the digital end to end processing. This reduces the occurrence of having collected the incorrect fee amount and thereby a need for refunds.
- Any process date stamped as received on or after 00:00 hours 08 April 2025 will be dealt with under the new fee order.
- Any process received prior to the new fee order but returned because there was an error and then subsequently resubmitted after 08 April 2025, will attract the new fee.

02

Potential service user vulnerabilities



Going through a divorce is one of the most stressful processes people can go through, even if the separated couple can agree on some or even all the things that need sorting out. The separating couple will usually be worrying or arguing about housing and money - how they are going to afford two separate homes rather than one. If there are any children, there will be lots of questions about where they live and what time they spend with each parent.

It is a huge change and so people are likely to feel some or all of the following:

- Angry or sad
- Frightened, intimidated or lacking in self-esteem
- Lost or alone
- Stressed and anxious
- Depressed

All of these emotions will impact on how service users will cope with the process and behave towards you.

The legal process of divorce and sorting out finances on divorce

The service user will need to sort out the legal process of getting a divorce which can in itself be stressful. Agreeing or asking the court to make a decision on the couple's finances is even more challenging. The whole process can take months or even years, so any delays add to stress levels. As well as stress there will be a financial cost of going to court if the service user involves lawyers. Domestic abuse might also be an issue for a service user you need to help.

How you can help

Make sure you:

- Are patient and compassionate
- Listen carefully
- Refer or signpost

A good place to send a service user to is [Advicenow's family pages](#) where there are lots of useful guides and films to help with child arrangements, sorting out finances and pensions through divorce, and help if you are in an abusive relationship.

03

Key terms



- **Applicant** – the person who decides to apply for a divorce
- **Conditional order** – the first order made by the court if the court is satisfied that the legal requirements have been met for the separated couple to get a final divorce order
- **Final order** – this order legally ends the marriage
- **Joint applicants (applicant 1 and applicant 2)** – the separated couple who decide to apply together for a divorce
- **Respondent** – in sole applications, this is the person who must reply or ‘respond’ to the application that has been made by their husband/wife they are separated from
- **Husband/wife** – the person who the user is separated but not divorced from
- **Service user** – person who is accessing help from We Are Group to use an online justice service

04

Overview of the process



Applicant, or applicants, make an application for a divorce (if a joint application, applicant 2 needs to confirm they agree with the wording of the application before it can be submitted)



Respondent receives application and confirms to the court they have received it. They also need to say if they accept the divorce application or if they want to defend it (this is rare now as it is hard to defend).



20 weeks later, applicant or joint applicants apply for a 'conditional order'



Conditional order is made by the court (or occasionally rejected)



At least 6 weeks after the conditional order, applicant or joint applicants apply for the final divorce order



At least two days later, final order is made by the court

05 Helping applicant 1 in joint applications

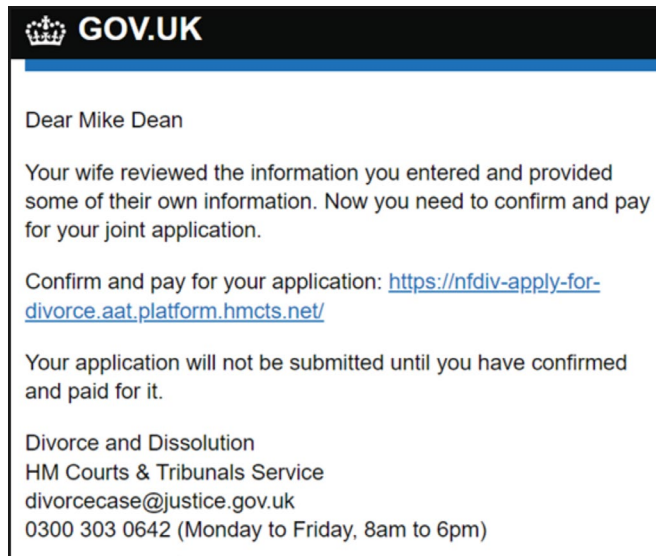


Helping applicant 1 in joint applications

This slide explains what to do if you need to help applicant 1 agree the final wording of the application with applicant 2 and submit it to court.

After applicant 1 has filled in their application, applicant 2 needs to either accept it or suggest changes to the wording. We explain what applicant 2 needs to do if they want changes made in the section [Helping applicant 2](#).

When applicant 2 responds to the application, applicant 1 gets an email telling them that applicant 2 has either accepted the application or submitted changes. Applicant 1 needs to log on to see the next steps.



Helping applicant 1 in joint applications

Next steps

When applicant 1 and applicant 2 have agreed the contents of the application you need to support applicant 1 to:

- Confirm the application and submit it to the court
- Pay the fee

If their husband/wife says they accept the contents of the divorce application, you just need to support applicant 1 to review what they have both said to be sure it is correct. (If applicant 2 does not accept the contents go to the section [Helping applicant 2](#)). And then support them to confirm and submit the agreed application to the online court.

Helping applicant 1 in joint applications

Confirming and submitting the divorce application

Remind applicant 1 to carefully read and tick the two boxes at the end of the application.

These statements are important. By ticking the first box applicant 1 confirms they are applying for a divorce. By ticking the second box, applicant 1 is making a 'statement of truth' to the court. This means that they are saying everything in the application is true and accurate as far as they know.

Remind applicant 1 that if they make a false statement of truth, they can be taken to court for 'contempt of court'. The punishment for this offence can be a fine or time in prison, or both.

Confirm before continuing

☐

I confirm that I'm applying to the court to dissolve my marriage (get a divorce) and make financial orders to decide how our money and property will be split.

This confirms what you are asking the court to do. It's known as 'the prayer'.

☐

I believe that the facts stated in this application are true

This confirms that the information you are submitting is true and accurate to the best of your knowledge. It's known as the 'statement of truth'.



Proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement verified by a statement of truth without an honest belief in its truth.

[Continue to payment](#)

[Save and sign out](#)

[Contact us for help](#)

Helping applicant 1 in joint applications

Paying the court fee

If applicant 1 is **not** going to ask for help with paying the court fee, all they do next is pay the fee and submit the application.

Remind applicant 1 that the court will be in contact again by the date on this page, to confirm that the application has been accepted. So, on that date they need to check their email.

In the meantime, they will receive an email to confirm they have submitted the application and a receipt for the payment they have made.

The screenshot shows the GOV.UK 'Apply for a divorce' page. At the top, it says 'GOV.UK' and 'Apply for a divorce'. Below that is a 'BETA' tag. The main content area has a green background with the text 'Application submitted'. Below this, it says 'Your reference number is: 1691-4161-0948-2398' and 'You and your wife have been sent a confirmation and payment receipt by email.' Below the green box is a timeline with three points: 'Submitted' (marked with a green checkmark), 'Conditional order' (marked with a green circle), and 'Final order (Divorced)' (marked with a green circle). The timeline indicates a duration of '20 weeks' between 'Submitted' and 'Conditional order', and '6 weeks' between 'Conditional order' and 'Final order (Divorced)'. Below the timeline is the section 'What happens next' with the text: 'Your joint application will be checked by court staff. You will receive an email notification by 4 September 2023 confirming whether it has been accepted. Check your junk or spam email folder.'

Helping applicant 1 in joint applications

Help with Fees - if both applicants apply

Both applicants must be entitled to financial help with the court fee for a divorce, known as help with fees, and both must make an application for help with fees, before the divorce application can be submitted.

If the application for help with fees is accepted, the joint applicants get a 'Help with Fees reference' which applicant 1 then puts into the application at the time they submit it. (For more details see our Help with Fees training pack).

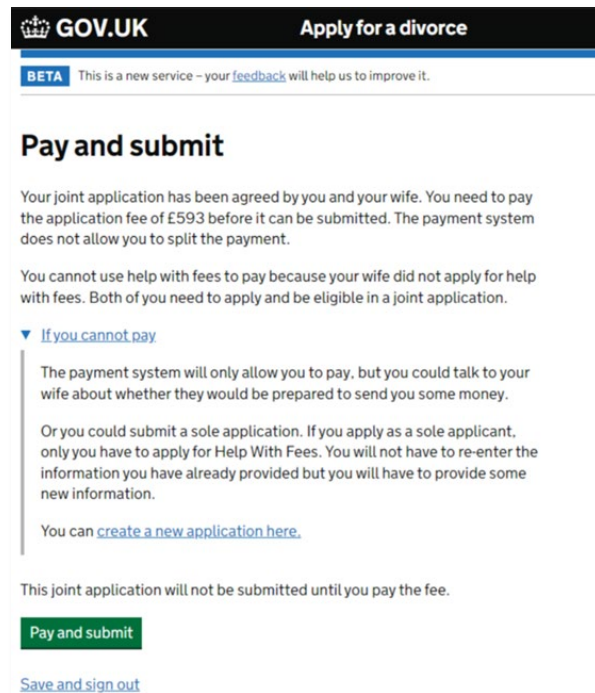
The court then sends an email to the joint applicants to tell them if the help with fees application has been successful.

Helping applicant 1 in joint applications

Help with fees - only applicant 1 applies

If applicant 1 applies for help with fees, but applicant 2 does not (or if applicant 2 applies but is not entitled to help), applicant 1 has two options:

- **Option 1** – applicant 1 can pay for the whole court fee (£612) and could ask applicant 2 to contribute later
- **Option 2** – applicant 1 can change the joint application to a sole application, as this route means they can apply for help with fees without applicant 2 being involved. This page (pictured) offers the option to applicant 1 to create a new sole application.



GOV.UK **Apply for a divorce**

BETA This is a new service – your [feedback](#) will help us to improve it.

Pay and submit

Your joint application has been agreed by you and your wife. You need to pay the application fee of £593 before it can be submitted. The payment system does not allow you to split the payment.

You cannot use help with fees to pay because your wife did not apply for help with fees. Both of you need to apply and be eligible in a joint application.

▼ [If you cannot pay](#)

The payment system will only allow you to pay, but you could talk to your wife about whether they would be prepared to send you some money.

Or you could submit a sole application. If you apply as a sole applicant, only you have to apply for Help With Fees. You will not have to re-enter the information you have already provided but you will have to provide some new information.

You can [create a new application here](#).

This joint application will not be submitted until you pay the fee.

Pay and submit

[Save and sign out](#)

06 Helping applicant 2 in joint applications



Helping applicant 2 in joint applications

This slide explains how to help applicant 2 submit changes to the divorce application.

If applicant 2 has agreed to do a joint application, then the contents of the application must be agreed by them both. It may be that applicant 2 accepts what applicant 1 has said in the application immediately and the case can progress as set out in the section called [Helping applicant 1](#).

If not, applicant 2 can make comments on the application by logging in and adding suggestions on how it needs to be changed. These are then sent to applicant 1. Applicant 2 will get this notification:



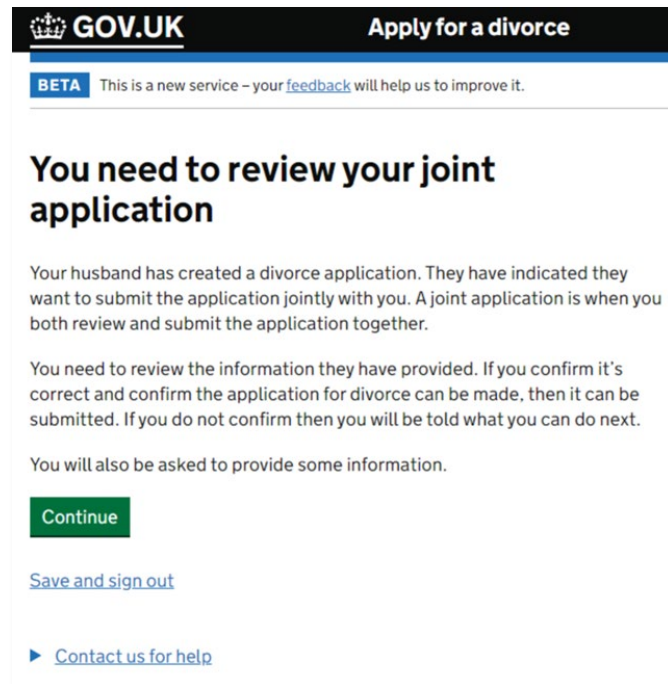
Helping applicant 2 in joint applications

Agreeing changes to the application

If applicant 1 accepts the changes, applicant 2 gets another notification to tell them to review the joint application, to confirm they are happy with it, and then applicant 1 can review and submit it.

If applicant 1 wants more changes, applicant 2 gets told about this and needs to review the application again and can submit further changes. This process can happen several times, until both applicants are happy with final version. Then applicant 1 submits the application.

After this, the court processes the application, and the service user gets a 'notice of proceedings' by email.

A screenshot of the GOV.UK 'Apply for a divorce' page. The header shows the GOV.UK logo and the title 'Apply for a divorce'. Below the header, there is a 'BETA' label and a message: 'This is a new service – your feedback will help us to improve it.' The main heading is 'You need to review your joint application'. The text below explains that the husband has created a divorce application and that the user needs to review it jointly. It states that if the user confirms the information is correct, the application can be submitted. It also mentions that the user will be asked to provide some information. At the bottom, there is a green 'Continue' button, a link to 'Save and sign out', and a link to 'Contact us for help'.

07

Joint applicants' conditional order application



Joint applicants' conditional order application

This slide explains how to help joint applicants deal with a rejection of their application for a conditional order.

This will usually be down to a practical problem that will delay things a little, rather than because there is a legal problem stopping the couple from getting divorced.

They will get an email to tell them the conditional order has not yet been made, and then a notification with a request for more information.

This could be for example a request to provide a better-quality version of the marriage certificate, or a certified translation.



Case number: 12938432

Dear Jo Bloggs,

Your application for a conditional order has been reviewed. You need to provide some more information before it can progress.

Sign into your HMCTS account to see the reason and what you need to do: [sign into hub]

Divorce service

HM Courts & Tribunals Service

0300 303 0642 (Monday to Friday 8am to 8pm, Saturday 8am to 2pm)

Email: contactdivorce@justice.gov.uk

Joint applicants' conditional order application

The applicants will be asked to respond to the court's request.

They will get a page like this, where they can fill in the extra information, and if needs be, upload new documents.

It is possible that the court will ask the applicants to email any necessary document to the court, so you might need to help them to log on and send the document by email to the court email address, with the key information such as the case number, surnames and reason for the email.

Respond to the court's feedback

The court has given the following feedback on your application:

"The image the marriage certificate is too small, so that when it is enlarged, it become blurred and cannot be read and checked. Please provide a new image of the marriage certificate."

Enter your response (optional)

If the court wants you to explain something or provide additional information then write your response here. If the court has just asked you to upload documents then you do not have to write anything, unless you want to.

Upload your documents

If the court has asked you to upload any documents or you want to upload a document to support what you wrote above, then you can upload it here.

Make sure the photo or scan shows the whole document. Check you can read all the text before uploading it. If court staff cannot read it then it may be rejected.

► [You can take a picture with your phone and upload it](#)

You should upload at least one clear image which shows the whole document. If you think it will help court staff read the details you can upload more images. If your document has more than one page then you should upload at least one image of each page.

Uploaded files

Joint applicants' conditional order application

Once they have sent the court the extra information needed, they will get a notification to say that the court is reviewing their new information and will reply by a set date.

Once the court has the extra information needed, the conditional order should be made.

The applicants then go on to the next step; 6 weeks from the date of the conditional order they can apply for the final order.

Joe Bloggs & Joanne Bloggs

Reference Number: EZ111456



Latest information

The court will review the additional information you have provided. You'll receive an update by 3 December 2021 after it's been checked.

Helpful information

[Find out about dividing money and property](#)

[Find out more about conditional orders](#)

08

Sole applicant's conditional order application



Sole applicant's conditional order application

If you are helping a sole applicant who has applied for a conditional order that has been rejected, the route is very similar to helping a joint applicant.

They will just need to act on the request from the court themselves – the respondent does not need to do anything. The applicant sees the same pages as the joint applicants, as shown in the last three slides before this section.

Any questions?



Thank you!