

Divorce + Separation

Glossary of terms



Acknowledgement of service

A form you may receive from the court to be completed to acknowledge that you have received divorce papers and inform the court whether the divorce will be disputed or not.

Adjournment

Where a court hearing is postponed to another day.

Affidavit

A statement in writing that is signed under oath and is legally binding.

Annulment

To end an invalid marriage. For example, if the marriage happened under duress, whilst lacking mental capacity or not of legal age to consent.

Arbitrator

A qualified third-party expert who reviews case evidence and provides a legally binding decision on both sides that is enforceable in court.

Asset

Something which is owned such as property, land or savings.

Child Arrangements Order

This order decides with whom a child lives with, spends time with and has contact with.

Child maintenance

These are financial payments towards a child's living costs, otherwise known as child support.

Divorce petition

The paper that commences the process of divorce to legally end a marriage. Under new law from April 2022, this is now called a divorce application.

Disclosure

During this process, both parties are asked to disclose specific financial details such as income, assets, liabilities and debts. This is sometimes required by court order and is mandatory but is otherwise voluntary.

Equity

The net value of your property after paying off your mortgage or any other debts secured against the property.

Financial Dispute Resolution hearing

This takes place within financial proceedings on divorce where parties negotiate a financial settlement before, and with assistance from, a Judge.

Financial settlement

An agreement regarding financial arrangements made between spouses after a divorce.

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Form A

The application to court for a financial remedy order to divide the assets or finances.

Form E

The statement setting out financial information and documents in support of financial proceedings or negotiations.

Form H and H1

The statement setting out legal costs incurred and to be incurred during financial proceedings.

Injunction

A court order that prevents one of the involved parties from doing something, for example, acting abusively or disposing of assets.

Mediation

This process involves a trained professional mediator who works with both parties to come to an agreement regarding financial and/or family matters. A Mediation Information Assessment Meeting (MIAM) is required to take place before court proceedings can be issued.

Non-Molestation Order

A type of injunction order to forbid someone from using or threatening to use violence and intimidation on someone.

Occupation Order

An order regulating who occupies a home such as whether someone is allowed back into a home or is excluded from it.

Pre or post-nuptial agreement

An agreement entered into between parties before or after a marriage to regulate financial affairs should they separate or divorce.

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