



Dissolution of Civil Partnership

When a civil partnership breaks down it can be legally ended by way of dissolution, the equivalent to divorce in marriage.

When can I get a dissolution?

Firstly, you must have been in a civil partnership for at least one year. You must also be able to show that the relationship has irretrievably broken down.

How do I prove irretrievable breakdown?

You must be able to rely on one of four 'grounds':

- a. Your partner has behaved in such a way that you cannot reasonably be expected to live with him/her ('unreasonable behaviour'); or
- b. You and your partner have lived apart for a continuous period of at least two years immediately preceding the making of the application and your partner consents to the dissolution being made ('two years' separation'); or
- c. You and your partner have lived apart for a continuous period of at least five years immediately preceding the making of the application. There is no need for your partner to consent ('five years' separation'); or
- d. Your partner has deserted you for a continuous period of at least two years immediately preceding the making of the application ('desertion').

We will advise you on which ground will be most suitable on the basis of your own personal circumstances.

What is the dissolution procedure?

The party who issues the petition is referred to as the applicant and the other party is the respondent.



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The process is largely the same whichever ground is relied upon to prove the breakdown. There will be differences in the information to be included in the petition but we will discuss this with you to deal with your specific needs and circumstances. In basic terms the procedure is as follows:

- The applicant issues his/her petition.
- If you have children, a statement of arrangements will also need to be issued so that the court can be satisfied that arrangements for care are in place.
- The court sends copies of these forms to the Respondent.
- The respondent completes and returns an acknowledgement of service form to the court to confirm s/he agrees to the dissolution. (The Respondent can defend the dissolution but this is very rare.)
- Assuming the dissolution is undefended, the applicant can apply for a conditional dissolution order, the first of two orders needed.
- After six weeks and 1 day the applicant can apply for a final dissolution order, which legally brings an end to the civil partnership. It is often advisable to delay applying for the final order until financial issues have been settled. This is because a party may lose the right to share in certain investments by virtue of that order, for example pension entitlement.

The parties will need to settle financial matters in relation to, for instance, the family home, any other property, maintenance, pensions and savings or investments. Usually division of finances is resolved separately but alongside the dissolution proceedings. We are able to advise you in this respect also. Please see our leaflet 'finances on divorce or dissolution' which is also available on our website.

How much will it cost?

There are two court fees during the course of dissolution proceedings; £300 is payable on the issue of the petition, and a further £40 is payable for the final dissolution order. Solicitors' costs will vary depending on whether you are the applicant or respondent and the complexity of your case. We will be able to discuss costs with you at your initial meeting and we will aim to keep you up to date throughout proceedings.

If you would like more advice on any aspect of civil partnerships, please contact one of our specialist family lawyers. Lester Aldridge LLP has offices in Bournemouth, Southampton and London.