



The Litigant in Person's Guide: Divorce



Divorce e-Book

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INTRODUCTION

This book is written and intended for the husband or wife faced with a broken marriage and the concerns of the new life looming ahead. It is a time when fresh problems are not needed any more than new expenses.

At one time divorce was intentionally made difficult. It was necessary to petition parliament and submit a Bill to be voted on. Then divorce was made the almost exclusive province of lawyers. To get a divorce it was usually necessary to instruct and pay a solicitor. Rightly or wrongly it is no longer difficult to obtain a divorce. The Law accepts that the empty shell of a marriage should be laid to rest as painlessly as possible. It should not involve expense and there should certainly not be the need to pay someone to deal with it for you if you do not want to do so.

The first section of this book contains all that is needed to confidently deal yourself with the divorce proceedings and have a marriage dissolved.

Once the shell of the marriage has been laid to rest there are the family assets to be divided up. Again this was once the province of lawyers who would ensure that the cost of the ensuing arguments resulted in a fair percentage of the assets coming their way. Today the emphasis is not on the courts dividing things up but on the spouses being encouraged to reach their own agreement. When this has been done the court will then make a 'consent' Order to give legal effect to the agreement.

It has to be a good thing if lawyers can be kept out of a divorce and if you and your spouse can agree everything between you. Money is saved and the danger of a lawyer inflaming the situation so as to enlarge the dispute and at the same time his own fee is avoided. There can be a danger however if you are not aware of the law that applies and the principles which are applied by the courts to ensure a fair division of family assets. It is this law and these principles which the second section of the book explains.

First of all the procedure adopted by the courts is explained. Then the matters which a court must consider and the way these requirements have been interpreted by the courts. This is the information which you need to help you agree a fair division with your spouse and then have a consent order made by the court.

The second section then deals also with how the court will decide matters when agreement is not possible.





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The final and third section is all about what to do when agreement is not only impossible but dirty tricks are being played.

It is written from the authors 20 odd years experience of dealing with divorces of all types and meeting just about every conceivable trick by a spouse to obtain an unfair share from the marriage. A comprehensive list of do's and don'ts to help deal with these tactics is provided together with advice on how to deal with a 'dirty divorce'. Finally the question of when you need to instruct a solicitor is discussed with advice on how to go about this should it be so decided..

