

Case number

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Respond to a divorce, dissolution or (judicial) separation application

Acknowledgment of service by the respondent

Name of applicant

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Name of respondent

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To complete this form you will need to refer to the application form, **D8** – Application for a divorce or dissolution (ending a civil partnership) or **D8S** – Application for a (judicial) separation order.

You must respond to the application **within 14 days** of receiving it.

1. Is the application for divorce, dissolution or (judicial) separation?

- ☐ Divorce
- ☐ Dissolution
- ☐ (Judicial) Separation

2. Have you read the application (**D8** – Application for a divorce or dissolution (ending a civil partnership) or **D8S** – Application for a (judicial) separation order)?

- ☐ Yes
- ☐ No

3. When did you receive the application?

Day	Month	Year								
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Case query helpline
0300 303 0642

Monday to Friday
8am to 6pm

Money and property when you divorce or separate

You may be able to solve your financial and other arrangements outside of court, for example through mediation. You can find more information on mediation at www.gov.uk/money-property-when-relationship-ends/mediation

You can find more guidance on financial orders and how to get help agreeing on any issues at www.gov.uk/money-property-when-relationship-ends/apply-for-a-financial-order

Child arrangements

You can find information on making child arrangements if you divorce or separate at: www.gov.uk/looking-after-children-divorce

HMCTS USE ONLY



You can only dispute the divorce/dissolution/(judicial) separation if you do not believe the courts have jurisdiction to deal with it, if you can prove the marriage was never valid or if the marriage or civil partnership has already legally ended.

4. Do you intend to dispute the divorce/dissolution/(judicial) separation?

☐ Yes. You will need to complete form '**D8B** – Answer a divorce, dissolution, (judicial) separation or nullity application'

☐ No

Note 4: If you dispute the divorce/dissolution/(judicial) separation you will need to submit another form (known as the 'answer') with your reason for disputing the divorce/dissolution/(judicial) separation.

You have 21 days to submit your answer from the date the acknowledgment of service must be filed (14 days from the date the application was served on you).

If you do not submit the answer by the deadline, your spouse will usually be able to continue with the divorce/dissolution/(judicial) separation as if you did not dispute it.

The court will accept the statement of irretrievable breakdown as conclusive evidence that your marriage or civil partnership has broken down irretrievably.

Jurisdiction of the courts

Your husband/wife/civil partner was asked some questions to find out whether the courts of England and Wales have the legal power (jurisdiction) to grant you a divorce/dissolution/(judicial) separation.

The usual basis for the court to have jurisdiction is where one or both parties are habitually resident in England and Wales.

Check the application called 'Why the court can deal with the case (jurisdiction)' to answer this question.

5. Do you agree the courts of England and Wales have jurisdiction?

- ☐ Yes. I agree the courts have jurisdiction
- ☐ No. I do not agree the courts have jurisdiction because

6. In which country is your life mainly based?

Jurisdiction

Your spouse has said that the courts of England and Wales have jurisdiction because at least one the following or a combination of the following applies. If you are not sure if this applies to you, you should get legal advice.

Habitual residence

If your life is mainly based in England or Wales then you are what is legally known as 'habitually resident'. This may include working, owning property, having children in school, and your main family life taking place in England or Wales.

This is not a complete list of what makes up habitual residence, and just because some of them apply to you does not mean you are habitually resident.

Domicile

Your domicile is usually the place in which you were born, regard as your permanent home and to which you have the closest ties. However, domicile can be more complex if you or your parents have moved countries in the past.

When you are born, you acquire a domicile of origin. This is usually the country your father considered his permanent home if your parents were married and/or the country your mother considered her permanent home if your parents were unmarried, or your father had died.

If you leave your domicile of origin and settle in another country as an adult, the new country may become your domicile of choice.

If this is a response to a (judicial) separation, please go to question 8.

7. Do you intend to ask the court to delay the divorce or dissolution until it is satisfied with your financial situation?

☐ Yes. You will need to complete '**Form B** – Notice of an application to consider the financial position of the respondent after the divorce'. **The court will need to receive it before the final order is granted.**

☐ No

8. Are there any existing or previous court proceedings relating to your marriage/civil partnership or affecting its validity (including any existing or concluded court proceedings overseas)?

☐ Yes. **Give further details in the box below.**

☐ No

Give details of any existing or previous court proceedings to include:

- case numbers
- what they are about
- names of those involved
- the country where the proceedings took place or are taking place
- name of the court, tribunal or authority dealing with the proceedings
- date the proceedings began and dates of any future hearings

Note 7: When making its decision the court will take into account both of your individual circumstances (including your ages, health, conduct, earning capabilities and financial resources and obligations) and your financial position should your spouse/civil partner die first.

The court may decide not to delay the divorce/dissolution if there are circumstances under which it should not be delayed and the court is satisfied that your spouse will make appropriate financial provision for you.

The application states whether or not your spouse is applying for a financial order. You can also apply for a financial order yourself.

For more information please go to the following web page www.gov.uk/money-property-when-relationship-ends?step-by-step-nav=84b7fdca-a8b0-4500-bc27-dafeab9f1401

9. What language do you want to receive emails and documents in?

☐ English

☐ Welsh

Statement of truth

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

☐ **I believe** that the facts stated in this form and any continuation sheets are true.

☐ **The respondent** believes that the facts stated in this form and any continuation sheets are true. **I am authorised** by the respondent to sign this statement.

Signature

☐ Respondent

☐ Respondent's legal representative (as defined by FPR 2.3(1))

Date

Day

Month

Year

Full name

Name of respondent's legal representative's firm

If signing on behalf of firm or company give position or office held

Address details for service of documents

☐ **Do not share my details** with my spouse or civil partner.
I will give you my details in the separate form **C8**.

www.gov.uk/government/publications/form-c8-confidential-contact-details-family-procedure-rules-2010-rule-291

Download and fill out form C8 with your details.

If you have ticked the box above **do not** give your address, email or phone number here.

☐ **You may share my details** with my spouse or civil partner.

My details are:

Building and street

Second line of address

Town or city

County (optional)

Country

Postcode

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Email address

Phone number (optional)

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If your details are confidential they should be included on the C8 form and not here.

If the court needs to contact you, it will be able to do so more quickly if you provide your email address and phone number.

The email address should not be the same as the one given for the applicant.

You can return your response by post or email to:

Email: divorcecase@justice.gov.uk

Post: HMCTS Divorce and Dissolution service
PO Box 13226
Harlow
CM20 9UG

Phone: 0300 303 0642
Monday to Friday 8am to 6pm