

GROUNDS FOR DIVORCE

Establishing that the marriage has broken down irretrievably

Where an Interim Gender Recognition Certificate has been issued under the Gender Recognition Act 2004

Ways to demonstrate irretrievable breakdown include:

1. One year's separation – with the other party's consent
2. Two years' separation
3. Adultery
4. Unreasonable behaviour

TYPES OF DIVORCE

(Where all financial matters arising from your separation have been agreed)

Children of the marriage under 16 years old

No children under 16 years old

Ordinary Action

Usually prepared & lodged by a solicitor as the Court will require evidence that arrangements for the children are satisfactory and in their best interests.

Simplified Procedure

The "do it yourself" procedure – online forms can be printed from the Scottish Courts website and can be completed by you or a solicitor acting on your behalf.

TYPES OF DIVORCE

(Where financial and other matters are still to be resolved)

Negotiated Settlement
(either between parties directly or between solicitors instructed on behalf of the parties)

Alternative Dispute Resolution (ADR)
Mediation or Collaboration

Raising a Court action to request that the Court considers evidence and makes financial orders on your behalf