

# Discovering divorce

*The first female partner of Burningham and Brown Solicitors, Sarah Loveless, explains what divorce entails*

Sarah is a member of the family law group Resolution and the code of Resolution is designed to minimise emotional distress – especially when children are involved in divorce proceedings.

## What does getting divorced actually mean?

It will end your marriage and means that you are free to remarry. It has implications for your children, housing, finances and for your entitlements to state pensions and other benefits, as well as your rights to a share in your spouse's pension.

## Do I have grounds for divorce ?

To obtain a divorce you must have been married for 12 months. There is only one ground for divorce, namely that the marriage has irretrievably broken down. This must be proved by one of the following facts:

- the unreasonable behaviour of your partner
- the adultery of your partner

- your partner has deserted you
- you and your partner have been living separately for two or more years and your partner agrees to a divorce
- you and your partner have been living separately for five or more years (here the consent of the other partner may not be required)

## How long will it take?

If there is broad agreement, the divorce can be processed relatively quickly and should not take more than six months. Where there is an argument about the divorce itself or related financial matters it can take much longer; however, it is normally in both parties interests to reach an agreement as soon as possible.

## Do I have to attend court to obtain a divorce?

You will have to apply to a court, but unless there is a disagreement about financial



Sarah Loveless, a new partner of Burningham and Brown Solicitors

matters or children then it is unlikely that you will have to attend.

For further advice on divorce, separation or co-habitation proceedings, please contact our family department. □



**Burningham & Brown Solicitors**  
20 Queen Square, Bath BA1 2HB  
tel: 01225 320090

email: [law@burningham-and-brown.co.uk](mailto:law@burningham-and-brown.co.uk)  
web: [www.burninghambrown.com](http://www.burninghambrown.com)