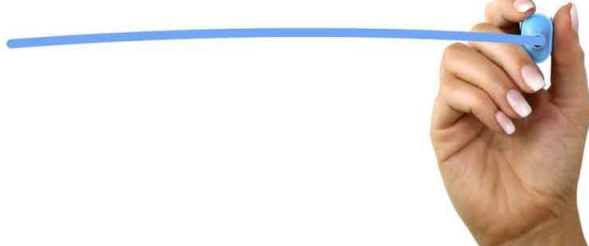


Last Dates for Filing Divorce Applications Using Existing Law

By Lucy Greenwood

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NO-FAULT
DIVORCE



The new no-fault divorce law pursuant to the divorce, Dissolution and Separation Act 2020 comes into effect on 6 April 2022 and applies to marriage, civil partnership and nullity cases, but what about the practicalities surrounding the filing of existing applications prior to 6 April 2022?

With many in the profession expressing concern about how to advise clients in the lead up to the implementation of no-fault divorce on 6 April 2022 under HMCTS have just publicised the cut-off dates applicable for making applications under current divorce law. <https://www.gov.uk/government/news/new-divorce-laws-will-come-into-force-from-6-april-2022>

The Cut-Off Dates are:

- All paper applications must be received by the court by 4pm on the 31st March 2022. (Any paper applications received after this deadline risk being rejected and returned to the sender, who will have to apply on the new form under the new law).
- Where an application for Help with Fees is going to be made, users will need to do so by 17 March as this is the notice required for Help with Fees to issue 5 payments.
- All digital applications must be submitted online by no later than 4pm on the 31 March 2022. The digital system for applications will be not allow applications to be submitted after this time and will not accept new applications until 10am on the 6 April 2022 under the reformed law.
- If the application needs to be issued urgently between 31 March and 6 April, in a similar way to the process adopted shortly prior to Brexit, a special email address has been allocated by the Court for the receipt of urgent applications: onlineDFRjurisdiction@justice.gov.uk and urgent applications will be issued where possible, if received by post or email, before 4pm on the 5th April. Please note: This email address will be unmonitored after 4pm on 5th April 2022.

Any applications received by the dates referenced above cannot be guaranteed to be issued ahead of the 6 April so if a client wants to use the current divorce law, it is strongly advisable to file any existing draft divorce applications as early as possible before the cut-off dates referenced above.

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