

Case number

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## Answer to a divorce/dissolution/ (judicial) separation application

To be completed by the court

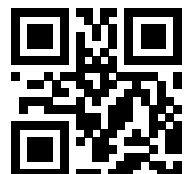
Name of applicant

Name of respondent

### Notes to respondent

- The parties are called applicant and respondent and the document starting the court proceedings is called an application.
- This form should be completed if you wish to dispute the divorce/dissolution/(judicial) separation application issued by your spouse/civil partner. This could be because you do not agree that the courts have jurisdiction to deal with the proceedings, if you can prove the marriage was never valid or if the marriage or civil partnership has already legally ended.
- There is a court fee for making this application. You can find the current fee in leaflet **EX50** Civil and Family Court Fees which can be downloaded from: <https://www.gov.uk/government/collections/court-and-tribunal-forms> If you cannot afford to pay a court fee, you may be eligible for a fee remission or a reduced fee. The form **EX160** Apply for help with fees and the **EX160A** guidance booklet gives you further information – <https://www.gov.uk/get-help-with-court-fees>
- If you wish to make your own application, you may need permission to do so. You would need to complete your own application form and pay a separate fee to the fee for this answer form. If you require any further assistance you should seek legal advice. There are **guidance notes within the D8 form** to help you complete your application for a divorce/dissolution/(judicial) separation. If you require any further assistance with this form please seek legal advice. The court fee for this application is separate and in addition to the fee for filing this answer.
- If there is not enough room on the form, you may continue on a separate sheet. Please put the applicant's name, your name and the number of the Part to which the information relates, at the head of any continuation sheet.

HMCTS USE ONLY





**Please treat this as my answer to the application.**

On which ground do you wish to dispute the application?

- the court's jurisdiction to entertain the proceedings
- the marriage is not valid
- the marriage has already legally ended

Please explain why you are disputing on this ground and provide details below:

**DRAFT**

## Orders requested

- For the reasons above I ask the court to dismiss the applicant's application
- Other, please specify any other order requested, apart from a costs order, or an application you wish to make for a divorce/dissolution/(judicial) separation order (this must be done separately).

**DRAFT**

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 and try 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

No

DRAFT



## Court fee

### What you need to pay

the court fee is

### How to pay the court fee

#### Sole or applicant 1

I have not included payment because

- I have applied for Help with Fees online and my reference number is

H	W	F							
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- I am applying for Help with Fees, see attached form **EX160**
- Other – please explain why

#### Applicant 2

I have not included payment because

- I have applied for Help with Fees online and my reference number is

H	W	F							
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- I am applying for Help with Fees, see attached form **EX160**
- Other – please explain why

A debit or credit card payment

- I will pay over the phone.
- please email me details on how to pay, my email address is

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- I attach a **cheque or postal order**, made payable to 'HMCTS'

#### Court fee

You can find the current fee in leaflet EX50 Civil and Family Court Fees which can be downloaded from: <https://www.gov.uk/government/collections/court-and-tribunal-forms>

#### If you cannot afford the court fee

You may not have to pay a fee, or you may get some money off it if you only have a small amount of savings and investments, receive certain benefits or are on a low income.

You can apply for help with court and tribunal fees online at [www.gov.uk/help-with-court-fees](http://www.gov.uk/help-with-court-fees) or through the 'EX160 Apply for help with fees' form and 'EX160A – How to apply for help with fees' guidance.

**If applying jointly**, both applicant 1 and applicant 2 must qualify for HWF, or the full fee will be payable by one applicant only. You can decide how you wish to share the cost of the fee. Then you must agree who will make the payment to the court.

**A debit or credit card payment.** To pay the court fee over the phone, you should call the payment line **10 days after** you submit the application to court on 0300 303 0642 (Monday to Friday: 8am to 6pm, Saturday 8am to 2pm)

# 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



**Please send your completed form to**

HMCTS Divorce and Dissolution service

PO Box 13226

Harlow

CM20 9UG

Phone: 0300 303 0642

Monday to Friday: 8am to 6pm

Saturday 8am to 2pm

Email: [divorcecase@justice.gov.uk](mailto:divorcecase@justice.gov.uk)

**Cheque payments only**

If you are paying by cheque, remember to include it with your form and make it payable to 'HMCTS'.

You must send your completed form and cheque to:

Bury St Edmunds Regional Divorce Unit

Triton House

St Andrew's Street North

Bury St Edmunds

IP33 1TR

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