

Top 10 facts and myths about divorce



1. There were 13 Divorces an hour in England and Wales in 2012.
2. Legally there is only one ground for Divorce; that the marriage had broken down irretrievably. This can be proved by one of five ways: adultery, unreasonable behaviour, desertion, two years separation with the consent of the other spouse or five years separation without the need for the other spouse's consent.
3. There is no such thing as a "common law spouse". Cohabiting couples who are not married have no special protection under the law. If you and your partner are moving in together it is sensible to consider entering into a Cohabitation Agreement to work out what rights you will each have to your property if you split up.
4. The average age for Divorcing men is 45 and for women it is 42.
5. The number of over 60's in England and Wales who are divorcing is rising. One simple explanation might be the ageing population. There are now more people over 60 than in previous decades.
6. There is no rule that a married couple should split their assets 50:50 e.g. in cases where there are young children and not much money then the primary carer is likely to get more than 50%. In a case where there is a lot of money one person might receive more if they brought money into the marriage or inherited it.
7. In 1991 there were on average 1.6 Divorces per 1000 married men over 60. By 2013 this had risen to 2.3.
8. Approximately half of Divorces occur in the first 10 years of marriage.
9. There are lots of ways that you can sort out your Divorce and the related financial issues. It isn't always necessary to go to court and there are other avenues that can be used to resolve these issues such as Mediation.
10. If you were married abroad or one of you has an international connection then whoever starts the Divorce proceedings can choose which country in which Divorce and Financial proceedings are dealt in.

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