



# My Legal Crunch

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Justice. Respect. Results.

## FREE DIVORCE CHECKUP

What you need to know about the divorce process in Australia

Divorce Decree



**DIVORCE** is probably the most stressful and excruciating event a couple would be experiencing when their marriage breaks down. Emotions would range from anger, devastation, frustration, despair, guilt, sadness to relief and contentment during this process and it can hurt both parties physically, emotionally and financially.

"Some people believe holding on and hanging in there are signs of great strength. However, there are times when it takes much more strength to know when to let go and then do it." — *Ann Landers*

Here at **My Legal Crunch**, our experienced divorce law lawyers can help you prepare for divorce with as little stress and hassle as possible.

**CALL US AT 1800 572 417**



To get a FREE 15 minute phone consultation with our divorce lawyers or email [info@mylegalcrunch.com](mailto:info@mylegalcrunch.com)



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Here's a checklist you will find helpful when preparing to go through the process:

## Determine your method of applying

- Sole divorce application (one party has not agreed with the divorce); applicant should serve the application by hand to the respondent
- Joint divorce application (other party or both agrees to part ways)

*NOTE: Some additional documents are required in your divorce application. MLC's divorce lawyers can tell you what documents you need based on your circumstances.*

## Other requirements (if there are unusual circumstances behind the divorce) you may need:

- To apply for substituted service where you don't know your spouse's home address, but you can contact them or someone they know;
- To apply to dispense with service where you don't know where your spouse is;
- Swear a statement to the court, through a document called an affidavit explaining your special circumstances such as:
  - if you are separated and living under the same roof; or
  - have changed your name from your married name.

## Am I eligible for divorce?

- You must have been born in Australia or have become an Australian citizen or must have been living in Australia for the last 12 months and intends to continue to live in Australia.
- Marriage is broken beyond repair;
- Both parties must have lived apart for at least 12 months and 1 day (you can live separated and under the same roof, however, further information is required);
- Married for less than 2 years; a counselling certificate is needed.
- Do you have children together? Court may require additional information regarding child/ren's care, welfare, and development.

## Cost of Divorce

- Our fixed fee of \$880 <sup>1</sup>
- A court filing fee of \$910 (or \$305 for eligible concession card holders)
- A service fee of \$165 to serve the divorce on the other party <sup>2</sup>



To learn more about your legal rights, visit

[mylegalcrunch.com](http://mylegalcrunch.com)



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## Other Information:

### How long would the divorce take?

A divorce hearing will take place 6 to 12 weeks after the divorce application has been submitted to the court.

Processing time for divorce cases here at MLC usually takes 1 to 3 weeks, although it may take longer when the divorce is not standard.

### How are assets divided in a divorce?

Assets are divided by considering a range of factors including, the length of the relationship, both the financial and non-financial contributions made by each party and any future needs that each party has.

If after considering the above factors, it is just and equitable for a division of the property, then a property division can occur.



Book an appointment today for your free case evaluation at

[www.mylegalcrunch.com/book-online](http://www.mylegalcrunch.com/book-online)

or scan the QR code.



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1. My Legal Crunch's fixed fee for our divorce is for standard divorces. Where your divorce is not standard because an affidavit must be filed, substituted service is required, dispensation of service is required or due to complexity, our fee will be higher.
2. The divorce service fee of \$165 is only applicable where you are filing a sole divorce application and this fee may be higher if your spouse lives in a remote part of Australia.



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## Contact Information

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