

MARRIED FOR LESS THAN 2 YEARS AND ALREADY IN TROUBLE? COUNSELLING OR DIVORCE?

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Sadly, it is increasingly common for couples who have been together for many years in a de facto relationship to separate within 2 years of the date of marriage. If this is you, then you should be aware that obtaining a divorce is not quite as simple as it sounds. You should also look carefully at all of your options.

If you have been married for less than 2 years, then the Family Court of Western Australia will ask that:

1. you and your spouse attend counselling to discuss the possibility of reconciliation;
2. in circumstances where you have not obtained a counselling certificate before filing the divorce application, you must write to the Court requesting permission to file a Divorce Application.

We always encourage new clients who are separating not long after marriage to seek help before concluding that divorce is the only option. Marriage counseling has come a long way and we are fortunate to work with some very talented experts in this field. While there are many reasons for divorce, there are many reasons to stay together as well. Even if parties to counseling later conclude that divorce is the only option, at least they know they tried everything before reaching that conclusion. Counseling at that time can also assist people to 'separate amicably'. Experienced family lawyers know well the value of working closely with counselors and other experts.

This is general information only and does not constitute specific legal advice. If you would like further information in relation to this matter or other legal matters, please contact our office at reception@hhg.com.au.

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