

# Divorce

*Unwinding a relationship with dignity is never easy. Not only do you have to pick up the pieces emotionally, you also have to consider practical matters such as post-divorce accommodation, payment for your family's expenses and childcare arrangements.*

*We at Eden Law are committed to walking beside you throughout this difficult process.*

*By applying our extensive experience in matrimonial disputes to your family's unique situation, we help you to make the best choices for yourself and your family.*

## Divorce

Divorce in Singapore can be broadly divided into 2 stages: the reasons for the irremediable breakdown of the marriage, and the ancillary matters.

Before filing for divorce, you will need to be married for at least 3 years. You or your spouse should either be Singapore citizens or resident in Singapore for at least 3 years prior to filing for divorce.

If you are able to prove any one of the facts below, the Court will dissolve your marriage and grant an **Interim Judgment** in the divorce proceedings.

- Adultery
- Your spouse's unreasonable behaviour
- Desertion for at least 2 years prior to filing of divorce
- Separation for at least 3 years prior to filing of divorce, with your spouse's consent
- Separation for at least 4 years prior to filing of divorce, without your spouse's consent.

If the terms of the divorce and ancillary matters have not been agreed between you and your spouse, you will need to attend the **Mandatory Parenting Programme** at a Divorce Support Specialist Agency.



## Simplified Uncontested Divorces

If you and your spouse are able to agree on the terms of the divorce and ancillary matters, your divorce proceedings may be filed on the fast track.

Both you and your spouse will not need to attend Court and your Simplified Uncontested divorce will be finalised within 4 months, which is the minimum duration for divorce proceedings in Singapore.

## Mediation

You can make a success of your divorce proceedings if you are able to make far-sighted, win-win decisions for yourselves and your children. Co-parenting your children in a cohesive manner with your spouse will minimise the impact of divorce on your minor children.

“There can be light at the end of the tunnel”

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In addition to the Mandatory Parenting Programme, all couples with minor children are required to attend counselling and

mediation sessions at the **Child Focused Resolution Centre (CFRC)** as part of their divorce proceedings. The CFRC process takes about 3 months to complete. The vast majority of CFRC cases are resolved amicably without further attendance at Court hearings.

Even if you do not have children, there are other avenues for you to pursue a peaceful resolution of your matrimonial disputes. You can choose to pursue mediation at the Family Justice Courts, the Singapore Mediation Centre or through private mediation companies.

## Ancillary Matters

After the Court has granted an Interim Judgment in your divorce proceedings, it will go on to consider the ancillary matters relevant to your case. These may include:

- Custody, care & control, and access to children
- Maintenance for former spouse, including incapacitated husbands
- Maintenance for children
- Division of the matrimonial home and other matrimonial assets
- Legal costs of the divorce proceedings

**It is in your best interests to engage a family law specialist to discuss the ancillary matters in detail, as your agreement or the Court's decision on any of the ancillary matters will have a substantial impact on your post-divorce life.**

## Variation

While a clean break is always preferred in divorce proceedings, there may be situations when you will need to vary the divorce Orders due to misrepresentation or a material change in your family's circumstances (e.g due to illness or loss of employment).

If you are unable to reach an out-of-Court settlement with your spouse, you may file a variation application to seek further Orders from the Court in respect of your children, maintenance or division of matrimonial assets.

## Consultation

*We would love to help you explore your options.*

*Before your consultation with our lawyers, these are the documents that you should prepare:*

- Your NRIC and your spouse's NRIC
- Children's birth certificates
- Marriage certificate

### Maintenance:

- List of your monthly personal expenses and your children's monthly expenses
- Your payslips for the last 3 months
- Your Notices of Assessment for the last 3 years

### Division of matrimonial home:

- HDB: Flat Information, Mortgage Loan Information, Statement of Account
- Private Property/Loan: Sale & Purchase Agreement, Mortgage Loan statement
- Your bank statements for the last 3 months
- CPF Statement
- CPF - Property Statement and
- Surrender values of your insurance policies

**Our consultation sessions include an assessment of the likely division of matrimonial assets and the likely award of maintenance for yourself and your children. This will help you can make an informed decision about the conduct of your intended divorce proceedings.**