

Form 3

Notice of proceedings

Matrimonial Causes Rules 2005 Rule 8

**IN THE ROYAL COURT OF JERSEY
(Family Division)**

File No:

BETWEEN

PETITIONER

AND

RESPONDENT

AND

CO-RESPONDENT

1. You must complete and detach the Acknowledgement of Service (**Form 4**) and send it so as to reach the Registrar, Family Division, Judicial Greffe, Royal Court, Royal Square, St Helier, Jersey, within days after you receive this Notice, inclusive of the day of receipt.
2. If you intend to instruct an advocate or solicitor to act for you, you should at once give him or her all the documents which have been served on you, so that he or she may send the Acknowledgement to the Judicial Greffe on your behalf. If you do not intend to instruct an advocate or solicitor, you should nevertheless give an address for service in the Acknowledgement so that any documents affecting your interests which are sent to you will in fact reach you. Any change of address should be notified immediately to the Judicial Greffe. Remember that your address for service **must be in Jersey**.

NOTES ON QUESTIONS IN THE ACKNOWLEDGEMENT OF SERVICE

3. If you answer **Yes** to **Question 4** or **7** you must, within days after you receive this Notice, inclusive of the day of receipt, file an answer in the Judicial Greffe and, within 24 hours thereafter, send a copy of it to the petitioner's advocate or solicitor and every other party to the proceedings or, if he or she is not represented by an advocate or solicitor, to the petitioner.
4. Before you answer **Yes** to **Question 5** you should understand that -
 - (a) you are under no obligation to answer this question but you may do so if you wish;
 - (b) the answer Yes will be treated by the Court as an admission on which the petitioner is entitled to rely and may result in an order for costs being made against you.

5. Before you answer **Yes** to **Question 6** you should understand that the Court will grant a decree of divorce if it is satisfied on the evidence that the petitioner and you have lived apart for one year immediately preceding the presentation of the petition and that you consent to a decree being granted (*See attached notice*).

If after consenting you wish to withdraw your consent you must immediately inform the Judicial Greffe and give notice to the petitioner.

6. A decree absolute of divorce will end your marriage so that, *e.g.*

- (a) you may lose any pension rights which depend on the marriage;
- (b) you may lose rights of occupancy of the matrimonial home.

A decree may have other consequences in your case depending on your particular circumstances and if you are in any doubt about these you should immediately consult an advocate or solicitor.

7. If you wish to make some financial or property claim on your own account, you must make an application on **Form 16** which may be obtained from the Judicial Greffe.
8. In support of the petition the petitioner alleges that the parties to the marriage have lived apart for a continuous period of at least [one] [two] years immediately preceding the presentation of the petition. You may, if you so wish, apply to the Court for it to consider your financial position after the divorce. The petition will tell you whether the petitioner proposes to make any financial provision for you. You should consider this information carefully before answering **Question 8** in the Acknowledgement of Service.
9. If you answer **Yes** to **Question 8** you must, before the decree is made absolute, apply to the Court by filing and serving on the petitioner a notice in **Form 17**, which may be obtained from the Judicial Greffe.
10. If you do not agree with the proposals regarding the child(ren) in the Statement of Arrangements, you may send to the Judicial Greffier a statement setting out your views on the proposals regarding the child(ren). A copy of your statement should, if practicable, reach the Judicial Greffe within the time allowed for filing an answer.
11. In connexion with **Question 11(d)**, if you wish to make an application for a
- (i) residence order;
 - (ii) contact order;
 - (iii) specific issue order; or
 - (iv) prohibited steps order,

in respect of the child(ren), you must make a separate application on **Form C100** which may be obtained from the Judicial Greffe. **Before you apply for any of these orders or any other orders which may be available to you under the Children (Jersey) Law 2002, you are advised to see an advocate or a solicitor.**

12. If the petition is for nullity –

- (a) on the ground that an interim gender recognition certificate has been issued to a party to the marriage, and such a certificate has been issued to you, you must, when returning the acknowledgement of service, attach to it a copy of your interim certificate;
- (b) on the ground that a change of your gender would be recognized by an approved jurisdiction, you may, when returning the acknowledgement of service, be required to attach to it such documents as the Greffier may direct;
- (c) on the ground that your gender was the acquired gender at the time of the marriage under the Gender Recognition (Jersey) Law 2010 and a full gender recognition certificate has been issued to you, you must, when returning the acknowledgement of service, attach to it a copy of your full certificate.

Signed

(Petitioner)

Address **in Jersey**

Date:

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If an advocate or solicitor is instructed

I am We are acting for the petitioner

Address for service **in Jersey**

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Signed

Date:

Registrar

Greffier Substitute

Date: