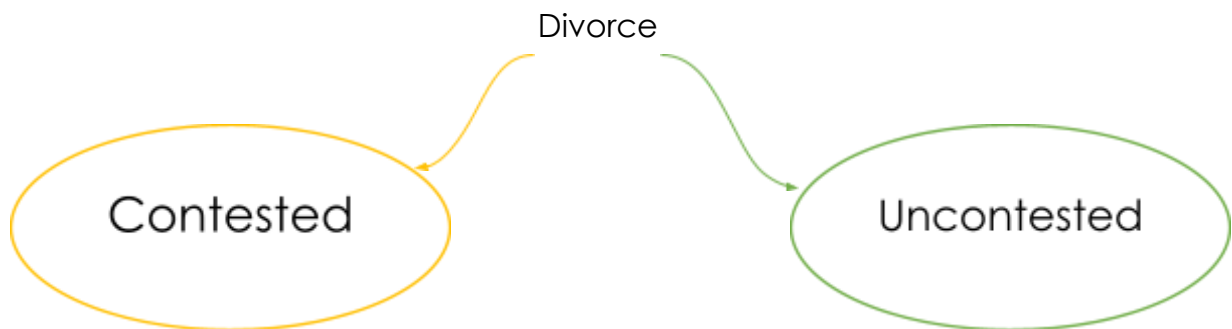


A GUIDE TO DIVORCE

To be honest, sometimes things don't work out as planned. The same goes for marriages. There can be various reasons for disintegration of your marriage between you and your spouse.

Please note that this is only applicable on civil South African marriages. Traditional marriages will be discussed in another article.

To start off, divorces can be classified into contested and uncontested:

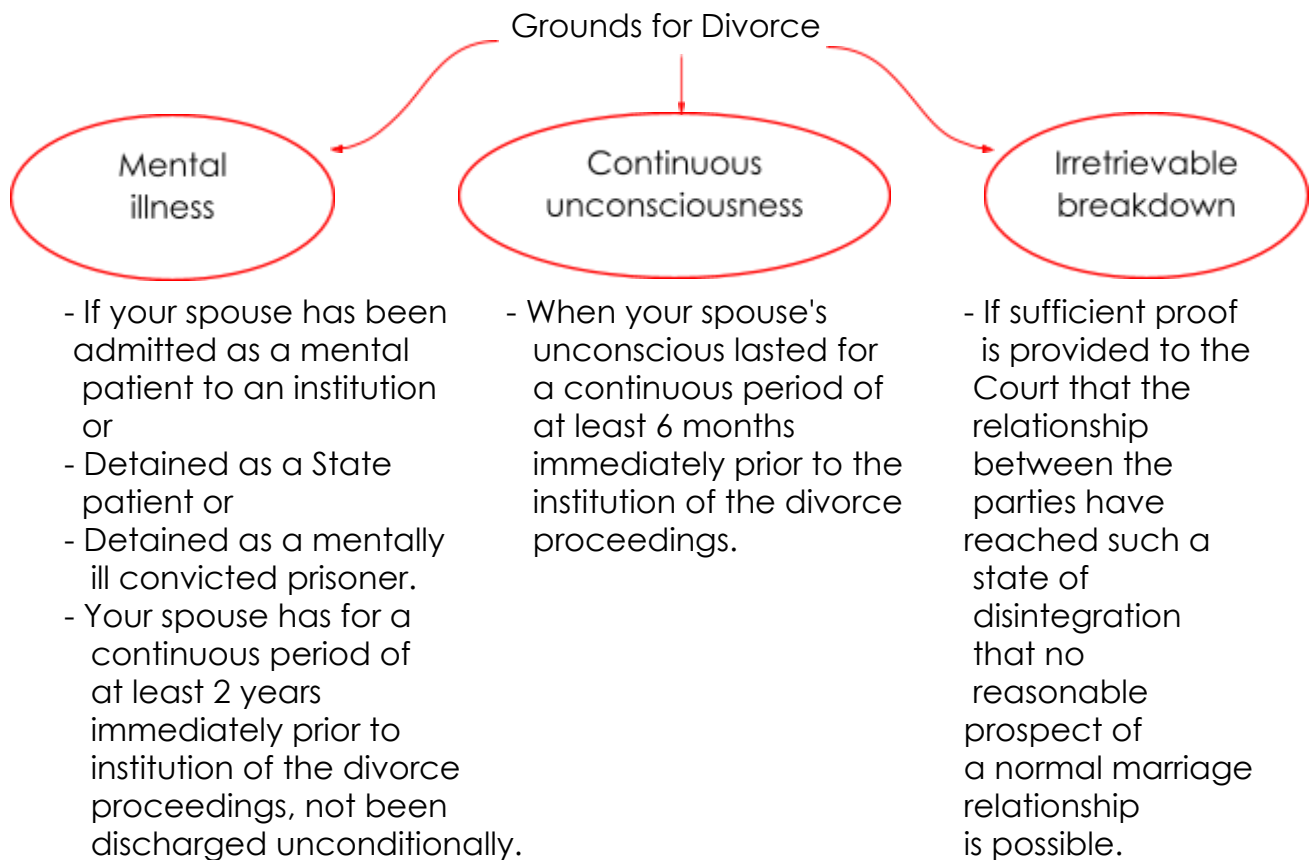


- Unpredictable costs
- Can take 2 – 3 years

- Predictable to low costs
- Can take up to 6 months

Note that contested divorces can change to uncontested as soon as a settlement is reached between the relevant spouses.

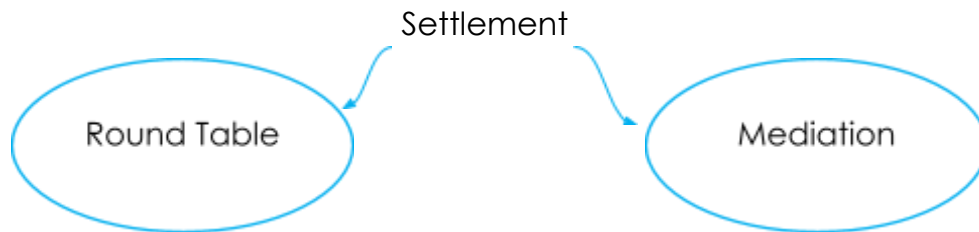
There are 3 grounds for divorce in South Africa:



If the Court is convinced that there is a possibility that the parties may reconcile through counselling, the Court may postpone the proceedings to enable the parties to attempt reconciliation.

Top Tip: In South Africa, there is no need to prove either side has fault to the disintegration of the marriage relationship.

There are various ways to attempt a settlement:



- The parties get together in an attempt to settle the matter by means of a negotiation.
- These negotiations are an attempt in good faith to settle and are thus privileged.

- A neutral third party is appointed to assist the parties in reaching a settlement.
- The mediator facilitates the negotiations and has no authority over the parties.

There is more to divorce than just the above. Maintenance, pension funds and the rights of children are discussed here, in a separate article. Remember that it's always important to contact your lawyer for advice on your specific situation.

There is a light at the end of the tunnel!