

FINANCIAL REMEDY – PRACTICAL OVERVIEW

(For organisational guidance only – not legal advice)

What Is a Financial Remedy?

A Financial Remedy is the legal process used to resolve financial matters following separation or divorce.

It deals with:

- Property
- Savings
- Pensions
- Debts
- Income
- Business interests
- Ongoing financial needs

How It Usually Starts

It can begin:

- After a divorce application has been issued
- When voluntary agreement cannot be reached
- By submitting a court application (Form A)

Before court, mediation is usually considered unless exemptions apply.

Once an application is issued, the court sets a timetable for financial disclosure and hearings.

Types of Financial Remedy Hearings

Most cases follow three main stages:

First Directions Appointment (FDA)

The first court hearing.

Purpose:

- Ensure financial disclosure is complete
- Identify missing documents
- Set directions (next steps)

No final decisions are usually made at this stage.

Financial Dispute Resolution (FDR)

A negotiation-focused hearing.

Purpose:

- Encourage settlement
- Judge gives an indication of possible outcome
- Parties attempt to agree

Many cases settle here.

Final Hearing

If no agreement is reached:

- Section 25 of the Matrimonial Causes Act 1973 is considered
- Both parties give evidence
- The judge makes a binding decision
- A financial order is made

This is usually the last stage.

Common Documents

- Form A – Application
- Form E – Financial

Statement

- ES1 – Evidence Schedule
- ES2 – Case Summary / Chronology
- Questionnaire

Supporting Documents

- Bank statements (usually 12 months)
- Mortgage statements
- Property valuations
- Pension statements (CETV)
- Payslips / tax returns
- Business accounts
- Credit card and loan balances

Organisation is essential.

Practical Preparation Tips

Keep written communication factual

- Avoid emotional responses in formal documents
- Keep copies of everything