



DIVORCE CHECKLIST

1. **Have we been separated for 12 months?**
2. **Have we been married for at least 2 years?** If not, then you are required to participate in counselling. If you do not attend counselling with your spouse, you need the Court's permission to apply for a divorce.
3. **Have we attached the signed counselling certificate or prepared an Affidavit seeking permission to file Affidavit?** Affidavit is only required if you did not attend counselling.
4. **Have I/we correctly completed the Application for Divorce?**
 - For a joint application – have we answered all the questions that relate to both of us?
 - For a sole application – have I answered all questions that relate to me and my spouse?
 - Have I/we indicated whether or not I/we intend to attend the divorce hearing?
 - Have I/we provided an address where documents can be delivered or posted?
 - Have we attached a copy of our marriage certificate to the Application?
 - Have we answered yes or no to all the boxes that apply to us about citizenship, residency and where we usually live?
 - Have we provided details of any other court cases or orders concerning us or our children?
 - Have we provided information for each of our children under 18?
5. **Have we made a copy of our Australian citizenship certificate, Australian passport or other proof of citizenship?**
6. **Have I prepared an affidavit for myself and have an affidavit for an independent person?** Only required if you and your spouse lived under the one roof during the separation period.
7. **Has the Application been signed before a lawyer, Justice of the Peace, or other persons authorised to witness affidavits in your state or territory?**
8. **Have I completed the Notice of Application for Divorce?** Only required if you are applying on your own.
9. **Do I have the correct filing fee and documents for filing?** See the Federal Circuit Court website for filing fees.
 - Have I completed an Application for a Reduction of Court Fees form (only if you are eligible)?
 - Have I got an original and two photocopies of the completed and signed Application and any supporting documentation for filing?