

# Can I stop my spouse from divorcing me?

**If you have received a divorce application and do not want the marriage to end, it is important to understand your position under the current law.**

Since the introduction of no-fault divorce in England and Wales on 6 April 2022, the law has changed and in most cases a divorce cannot be stopped simply because one spouse does not agree.

If you have received a divorce application, do not panic and do not ignore it.

Our simple checklist explains:

- When a divorce can be disputed
- Why defending a divorce is rarely successful
- The risks of not responding
- The importance of getting early legal advice

If you have been asked to respond to a divorce application and you are unsure what to do next, we can help you understand your options and next steps.

## Quick checklist

- ☐ **Understand that a divorce usually cannot be stopped simply because you disagree with it.**  
Since the introduction of no-fault divorce, one spouse can apply without needing to prove fault.
- ☐ **Check whether there are valid legal grounds to dispute the application.**  
These are limited to:
  - The marriage was not legally valid
  - You are already legally divorced
  - The courts of England and Wales do not have jurisdiction to deal with the divorce
- ☐ **Be realistic about defending the divorce.** Successfully disputing a divorce application is extremely rare and can increase costs, delay the process and add further stress.
- ☐ **Do not ignore court documents.**  
The divorce process can continue even if you do not engage with it. Failing to respond may cause complications.
- ☐ **Take legal advice early.**  
Early advice can help you understand:
  - How to respond to the application
  - Financial matters arising from the divorce
  - Arrangements for children
  - Practical steps to protect your position during the process
- ☐ **Focus on what you can control.**  
Even if the divorce itself cannot be stopped, there are often important decisions to make about finances, children and future arrangements.

## Need advice?

Get clear, expert advice and practical support from Wake Smith's experienced family law solicitors. Serving clients across Sheffield, South Yorkshire, Derbyshire and beyond, we can help you understand your options and take the next steps with confidence.



**Johanna Brewer**  
Director in Family & Divorce Law  
E: johanna.brewer@wake-smith.com  
T: 0114 266 6660



**Emily Hinchcliffe**  
Solicitor in Family & Divorce Law  
E: emily.hinchcliffe@wake-smith.com  
T: 0114 266 6660



**Caitlin Davis**  
Solicitor  
E: caitlin.davis@wake-smith.com  
T: 0114 266 6660



**Stephanie Smart**  
Paralegal in Family & Divorce Law  
E: stephanie.smart@wake-smith.com  
T: 0114 266 6660



**Martha Green**  
Legal Assistant in Family & Divorce Law  
E: martha.green@wake-smith.com  
T: 0114 266 6660