# **My HMCTS - Solicitor Portal for Divorce**

- ☐ Please ensure you are using either Firefox or Chrome as your browser □When accessing the online divorce platform, please ensure you are using the solicitor portal as opposed to the citizen portal. You will be able to manage your organisation from: https://manageorg.platform.hmcts.net and access your divorce application through https://managecase.platform.hmcts.net ☐ If you cannot find your organisation when entering your details, please contact MyHMCTSSupport@justice.gov.uk for the team to look into your account and ensure your organisation has been setup correctly. If you have issues registering with the service, please contact the same email address. ☐ The online platform does not have the functionality to accept respondent solicitor/legal representation. This is functionality that we are hoping to release in the Q1 of 2021. ☐ If there are documents associated with your case, do not upload these directly to the online platform. All relevant documents need to be emailed to <u>Divorcecase@justice.gov.uk.</u>
- □When inputting behavioural details, this information should be entered into the main body of the divorce petition and not uploaded as a separate document. This is so the respondent can see and respond to the allegations made against them.





# Detailed guide to submitting a case on the system

Please note: Legal representatives can submit a divorce application without a marriage certification under certain circumstances which they must provide supporting evidence for the reasons why with a covering letter/application.

### Log In

# Sign in

	•		
S	ıaı	n I	n
			•

Email address Password

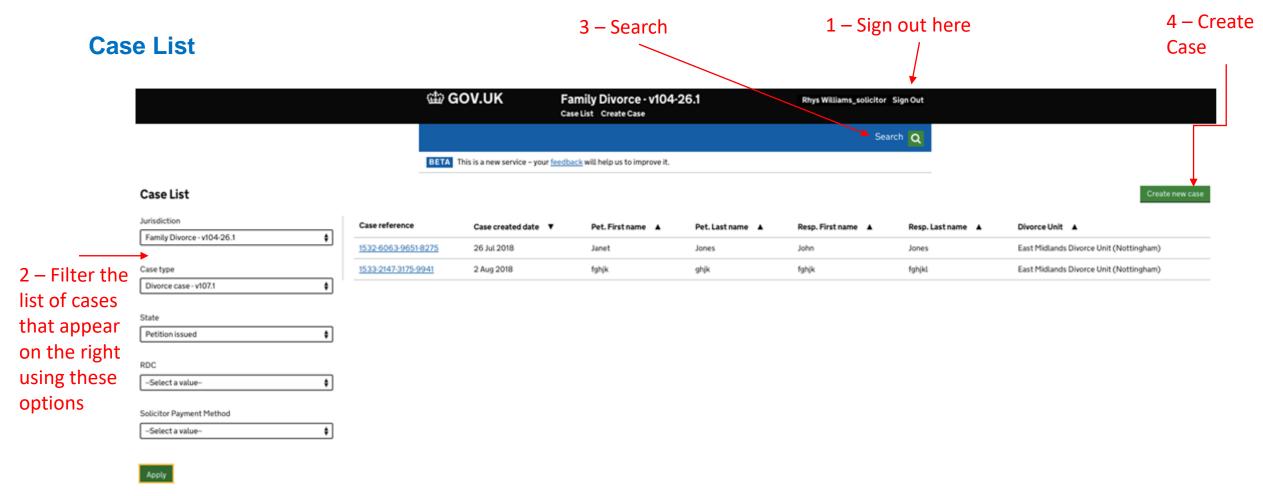
Forgotten password?

Sign in

For guidance on how to sign in, please see: <a href="https://www.gov.uk/guidance/hmcts-online-services-for-legal-professionals">https://www.gov.uk/guidance/hmcts-online-services-for-legal-professionals</a>

Once an account has been created, you will be sent a link to access the system.





When you log into the system – you will see this home screen aka the 'Case List'. Your name and the option to log out is highlighted at point 1.

From this screen you can search for and view applications you have issued and create new applications. All petitions will be issued by the CTSC – Courts and Tribunals Service Centre.



### **Searching for a case**



As well as filtering the list of cases that are shown on the case list using the filter options on the left hand side, there is also a search function at the top right hand side of the screen.

Within the search screen you can type in details of a specific case such as the divorce case number, party names and solicitor reference to find a specific case.

When searching for a CCD reference number it must be in the following format – 1234567891001112



#### Search

Jurisdiction*	
Family Divorce - v104-26.1	<b>♦</b>
Case type*  Divorce case - v107.7	<b>\$</b>
FamilyMan reference	
CCD Reference	
Case created date	
Day Month Year	
	]
Case status	
Soloct a value	•

#### **Creating a case**

Once you have clicked 'create a new case' you will be taken to this screen. Choose Family Divorce, case type Divorce, then you can start to complete your digital divorce application.

You will be asked to complete a digital version of Form D8 and upload a copy of the petitioners marriage certificate along with any other supporting documentation such as a certified translation for foreign marriage certificates, Deed Poll name change document etc. You will then enter your PBA account number and submit your application digitally.

∰ GOV.UK	Family Divorce - v104-26.1 Case List Create Case	Divorce Solicitor Sign Out
		Search Q
This is a new sen	vice – your <u>feedback</u> will help us to improve it.	
Create Case		
Jurisdiction		
Family Divorce - v104-26.1	<b>\$</b>	
Case type		
Divorce case - XUI	<b>†</b>	
Event		
Apply for a divorce	<b>\$</b>	



#### **Solicitor Details**

As a petitioner solicitor, you will need to enter your organisational details to confirm the firm name and address.

This will enable you to share the case with colleagues in your organisation.

Petitioner Solicitor Phone number				
+1 (709) 291-7223				
Petitioner Solicitor Email				
rygy@mailinator.net				
confirm I am willing to accept service of all correspondence the email address stated above.  No  No	e and orders by email	at		
Petitioner Organisation Policy				
Search for an organisation				
You can only search for organisations already registered example, you can search by organisation name or addre				
You can only search for organisations already registered				
You can only search for organisations already registered example, you can search by organisation name or addre		r		
You can only search for organisations already registered example, you can search by organisation name or addre divp  Organisation name and address  DivPetitionerSolicitorFirm				
You can only search for organisations already registered example, you can search by organisation name or addre divp  Organisation name and address  DivPetitionerSolicitorFirm	55.	elect		

As a petitioner solicitor, you will need to enter your contact and organisation details. You will firstly be asked to input details and confirm the name and address of your firm.

You must also provide a reference number for the case.

We do ask that you provide an email address. If you provide an email address and click 'Yes' to 'future communications' you will be sent all future correspondence (including orders) via email rather than by post.

You will need to re-enter these details each time you make an application, however, in the future, these details/preferences will be stored on the system and recalled automatically.

You must select an organisation name (see next page for further information). By selecting your organisation, you will enable the ability to be able to 'share a case' with colleagues in your organisation.

Please see slide 30 for more information on how to share your case within your organisation.



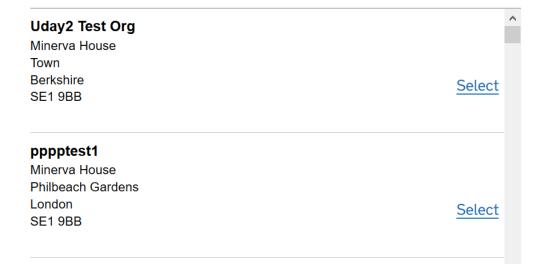
### **Solicitor and Organisation Details**

#### Search for an organisation

You can only search for organisations already registered with MyHMCTS. For example, you can search by organisation name or address.

Test

#### Organisation name and address



Search for your Firm Name and select the correct Office from the drop down list.

Please note, your firm may not be the first to appear on the list – you may need to scroll down.

If you cannot find your firm name, please try searching by entering the postcode.

If you have selected the wrong firm, press Clear to be able to search again.

Please note, if you don't select an organisation at this point, you will be shown an error message when you come to try and submit the case at the end of the journey.

#### Organisation name and address

Uday2 Test Org Minerva House Town

Berkshire SE1 9BB





### **Petitioner Details**;

Next you will be asked to provide the petitioners details.

You will be asked to provide;

- their first name(s),
- · Last name,
- If they have changed their name since they married (and if the answer is Yes how they have changed their name),
- The petitioners gender.
- Were the petitioner and respondent a same-sex couple when they got married?
- Petitioners home address must be in the following format;

28 Old Street

Main Town

Anywhereville

South Country

SV1 7NJ

 Petitioners phone number and Email address is optional. However we request that you complete all address fields for both the petitioner and the respondent – both address and service address.



- Confidential address you can request the petitioners details are kept private. By selecting (-) you are stating you do not want the details to be kept private and you are happy for them to be shared with the Respondent. If you do wish to keep the details private you do not need to complete a C8.
- The section to request personal service is included in the statement of truth section.

This is a survey of a disability of the law is a survey of	1	
This is a new service – your <u>feedback</u> will help us to improve it.  BETA		
	Husband or Wife?	
	-Select a value-	<b>♦</b>
About the petitioner - Apply for a divorce	What is the petitioner's gender?	
	The petitioner's gender is collected for statistical purposes only.	
ou can make changes at the end of your application.	-Select a value-	<b>\$</b>
First name(s)	Were the petitioner and the respondent a same-sex couple when the	ney
nclude all middle names here	got married?	
	Yes No	
.ast name	The Petitioner's home address	
		^
Has the petitioner changed their name since they got married?		
s the petitioner's current name different to their married name or the name shown on their marriage certificate?	Petitioner's phone number (Optional)	
Yes No		
J	Petitioner's email address (Optional)	
Who is petitioner divorcing?	retainers emarcadaress (Optional)	
Husband or Wife?		
-Select a value− •	Keep the petitioner's contact details private from the respondent?	
-Select a value-	-Select a value-	<b>\$</b>
What is the petitioner's gender?		
The petitioner's gender is collected for statistical purposes only.	Previous Continue	
-Select a value-		
• 1	Cancel	

### **Respondent Details**;

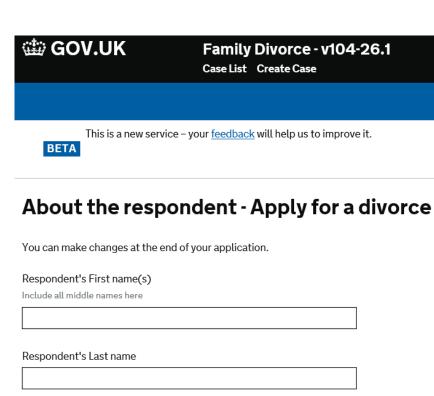
You will be asked to complete the following information in relation to the Respondent;

- First name (s).
- Last name.
- Has their name changed since marriage and if yes How?
- What is the Respondents gender.
- Respondents home address must be in the following format;

28 Old Street
Main Town
Anywhereville
South Country
SV1 7NJ

Please note, although this field is optional you **must** include the respondent's address in the indicated fields to avoid future delays.

- Do you wish to effect service on the respondent?
- (Please note we do not yet have the capability to support a solicitor for the respondent. This work is currently being developed).



Is the respondent's current name different to their married name or the name shown on their marriage certificate?



#### What is the respondent's gender?

The respondent's gender is collected for statistical purposes only.

--Select a value--



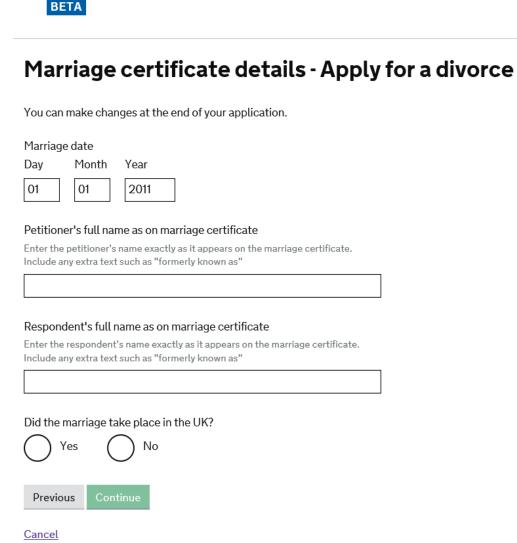
This is a new service - your feedback will help us to improve it.

### Marriage certificate details;

Next you will be asked to provide details from the petitioners marriage certificate.

- Marriage date (we hope in future versions to have a link to the GRO for marriages within England and Wales).
- Petitioners full name as it appears on the marriage certificate.
- Respondents full name as it appears on the marriage certificate.
- Did the marriage take place within the UK? If the answer is no the application will ask you to provide details of the place of marriage.

Please note, it is essential that you upload a copy of the marriage certificate to the case to avoid future delays.





### **Jurisdiction – Changes under Brexit**

Under new Brexit legislation, the petitioner/petitioner's solicitor will be able to claim additional connections for jurisdiction in England and Wales.

They will now be able to claim the following:

- ☐ The petitioner is domiciled in England and Wales
- ☐ The respondent is domiciled in England and Wales
- ☐ The courts of England and Wales have jurisdiction on a residual basis (same sex married couples).

You can tick one of the additional boxes to highlight legal connections that apply to the petitioner.

#### **Jurisdiction - Apply for a divorce**

You can make changes at the end of your application.

The court has legal power to deal with this application because the following applies:

Divorce – Opposite Sex Couple – Article 3(1) of Council Regulation (EC) No 2201/2003 of 27 November 2003

#### Legal connections

Tick all the reasons that apply:

and Wales

The courts of England and Wales have re
The Petitioner and Respondent are both

The Petitioner is domiciled and habitually and Wales and has resided there for at le immediately prior to the petition

The Petitioner is habitually resident in Er has resided there for at least a year imme presentation of the petition

The Respondent is habitually resident in

The Petitioner and Respondent were last England and Wales and one of them still

The Petitioner and the Respondent are h
England and Wales

#### **Residual Jurisdiction**

The court may have residual jurisdiction if;

none of the other connections applies in relation to England and Wales;

either the petitioner or the respondent is domiciled in England or Wales; and

neither the petitioner nor the respondent is able to apply for a divorce in another member state of the EU on the basis of any of the other connections.

In addition, in the case of a same-sex marriage, the court may have residual jurisdiction if the following apply:

- The petitioner and the respondent married each other in England or Wales: and
- Neither the petitioner nor the respondent is able to apply for a divorce in any other country; and
- It would be in the interests of justice for the court to consider the application (this may apply if, for example, the petitioner's or respondent's home country doesn't allow divorce between same-sex couples).

Previous

Continue

Cancel



### **Reason for the Divorce**;

Firstly you are now asked to enter the reason for the Divorce, for the purpose of this onboarding pack we are only going to select 'Behaviour'.

#### Reason for the divorce - Apply for a divorce

You can make changes at the end of your application.

Choose one of the following reasons to support the fact that the marriage has broken down irretrievably.





Then you are asked to give brief details to support the reason why the marriage has irretrievably broken down.

In order for the Respondent to reply to the Divorce, you must write any behavioural details in the text box provided on the petition, and not upload this information from a separate document. This is to ensure the Respondent has sight of the statement of case when this is played back in the online petition.

## Statement of case - behaviour - Apply for a divorce You can make changes at the end of your application.

Include examples of the respondent's behaviour which affect the petitioner the most, and the most recent incidents. Try to include dates if available. If the petitioner thinks their health has been affected, state how it has been affected

Give some brief details to support the reason why the marriage has

Provide enough examples to satisfy the court that the petitioner cannot reasonably be expected to live with the respondent

broken down irretrievably.

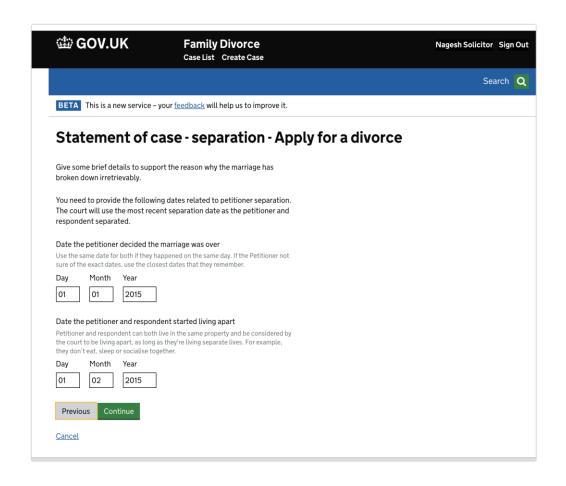
Behaviour details
Not Applicable

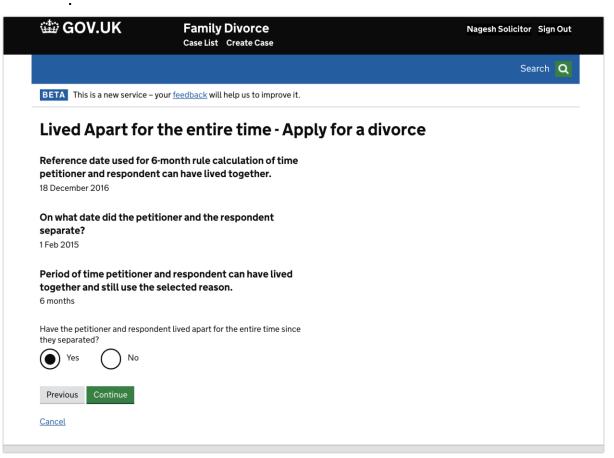
Previous

Cancel

### Reason for the Divorce – 2 years and 5 years separation fact;

If you are applying under the desertion fact you will notice the online application now asks questions relating to dates.

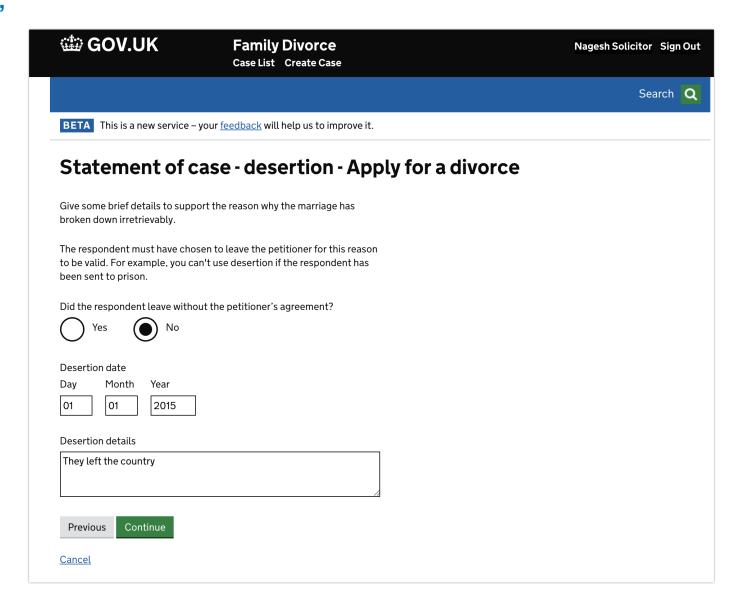






### **Reason for the Divorce – Desertion fact;**

If you are applying under the desertion fact you will see this screen which you will need to complete.





### Other legal proceedings;

Please enter details of any other legal proceedings which relate to the marriage, property or children.

Include any case reference numbers.

Other legal proceedings - Apply for a divorce
You can make changes at the end of your application.
Are there any existing or previous court proceedings relating to the petitioner's marriage, property or children?  Yes No
Previous Continue  Cancel

This section relates to the Financial Orders and asks you to indicate if the petitioner wishes to apply for a financial order.

You are then asked to indicate who the financial order is for. You are allowed to select the Petitioner, Children or both.

### Financial orders - Apply for a divorce

You can make changes at the end of your application.

Does the petitioner wish to apply for a financial order?

The court will not start processing your request for a financial order until you submit the separate application and pay the fee.

Yes No

Previous Continue

Cancel

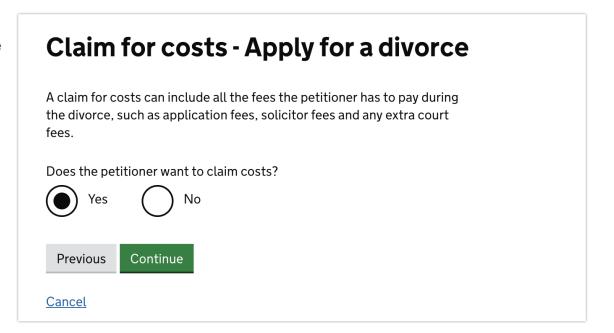


### Claim for costs;

This section relates to claiming for costs and asks you to indicate if the petitioner wishes to claim for costs.

If you wish to only claim costs if the Respondent chooses to defend the divorce then please issue via the paper route. Currently the pilot does not collect this information in a way that this option can be played back to the Legal Adviser to consider.

There is no functionality for the Solicitor to ask for any variation in relation to costs such as 'only claim costs if the Divorce is defended' or claim a % of the costs. This is currently being re-designed by our developers for both the citizen and the Solicitor journey. In the meantime, if you have a complex request re costs for the petition you are issuing please do not use the digital application to submit the petition as your request re costs cannot be captured by our pilot.





### **Uploading the marriage certificate;**

In this section you are required to upload an image of the marriage certificate (you do not have to provide the original but this should be retained as it can be requested by a Judge or Legal Advisor at any point during the proceedings). *Please ensure all four corners of the marriage certificate can be seen in the image.* 

You are also able to upload any other supporting documents such as;

- A certified translation of a non-English marriage certificate.
- A change of name deed.
- Or any other supporting documentation referred to within the divorce application.

#### To Upload an image:

Select the document you are going to upload i.e. the Marriage certificate and enter the respective details – click on continue.

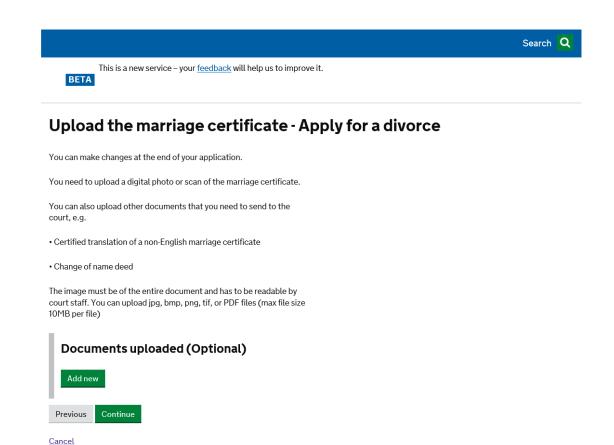
Then click on the 'Add now' button to upload the marriage certificate:

You can upload as many additional documents as you like. We do ask that you keep the file size to a minimum and ensure that the file names clearly specify what the document is.

The list of documents filed under 'other documents' will grow as the pilot progresses based on the types of documents you upload at this stage.

Please note: Legal representatives can submit a divorce application without a marriage certification under certain circumstances which they must provide supporting evidence for the reasons why with a covering letter/application.





### **Before you submit**

Before you submit the application you create a draft petition which you can save and send to your client for review, if required.

At the end of the 'Check your answers' page the green button reads 'Save Petition'. Click this button to continue.

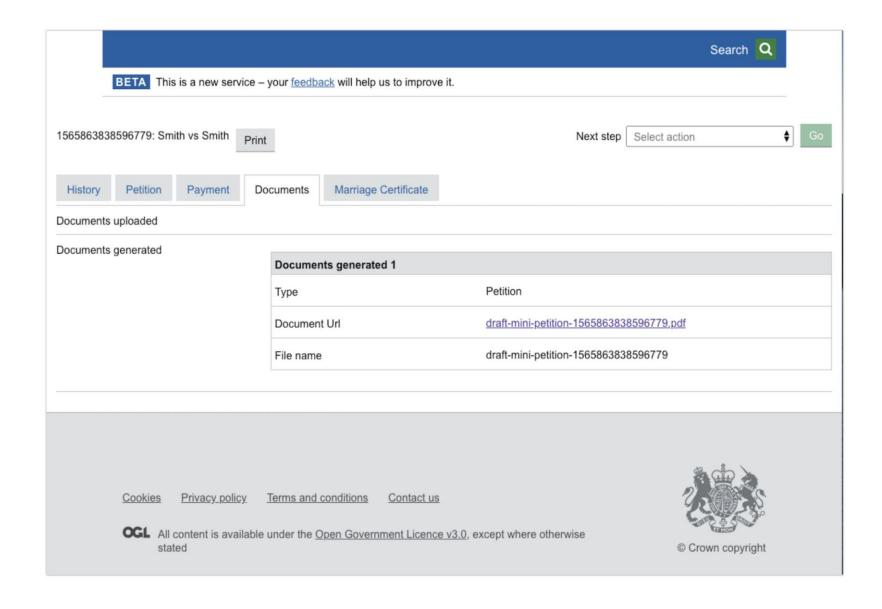
The Respondent's service address	London	<u>Change</u>
Marriage date	1 Jan 2011	Change
Petitioner's full name as on marriage certificate	Jane Eyre	Change
Respondent's full name as on marriage certificate	John Eyre	Change
Did the marriage take place in the UK?	Yes	Change
Legal connections	The Petitioner and the Respondent are habitually resident in England and Wales	Change
Fact	Behaviour	Change
Behaviour details	Not applicable	Change
Are there any existing or previous court proceedings relating to the petitioner's marriage, property or children?	No	Change
Does the petitioner wish to apply for a financial order?	No	Change
Does the petitioner want to claim costs?	No	Change
Documents uploaded		Change
Is the language preference Welsh?	No	Change

Previous Save Petition

Cancel



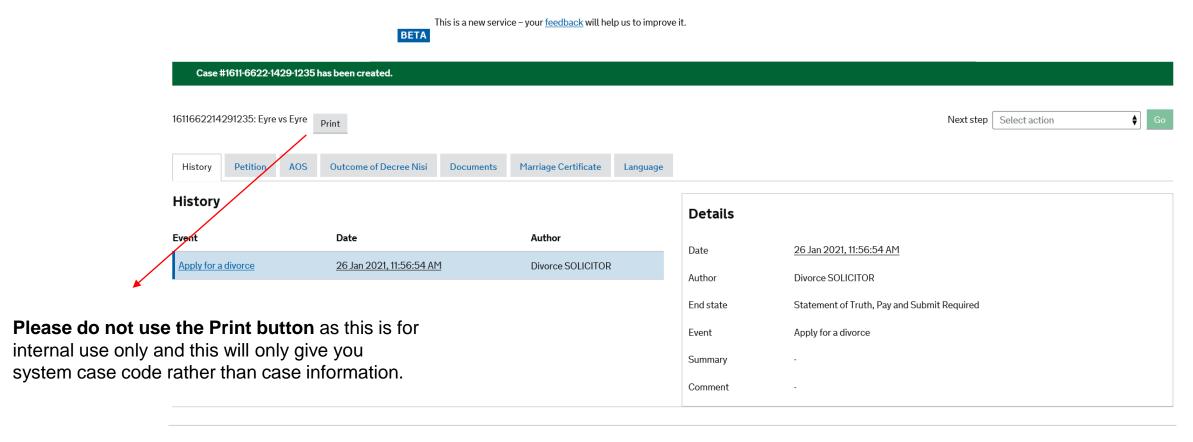
The draft petition can be found in the documents tab. This pdf file can be saved, print and sent to your client.





#### Case created screen;

Now you see the case as below with the interim case reference number #1611-6622-1429-1235:





### Divorce Legal Professionals onboarding pack

### **Case Submission – Performing a case submission;**

- On the above screen top right you see the 'Next Step' options list. Select Case Submission from the drop down menu and click Go.
- You will now see the Statement of Truth and reconciliation screen.

As the online form does not have a 'wet signature' it is important to fully complete this section to avoid the petition being rejected. This is covered in PD41A

Additional information has been included so that you can add information relating to urgent applications and why this should be issued urgently and also to reiterate that you want to personally serve the petition.

#### Statement of truth and reconciliation - Case submission

#### #1611-6622-1429-1235

#### The petitioner is applying to the court

That the marriage be dissolved as it has broken down irretrievably.

#### Service method

How would you like the respondent to be served?

Ourt Service

Personal Service

#### Statement of Reconciliation

I have discussed the possibility of a reconciliation with the petitioner.

O Yes

) No

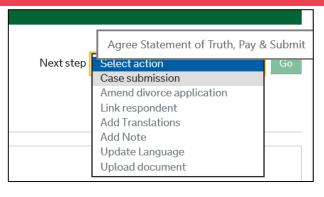
I have given the petitioner the names and addresses of persons qualified to help effect a reconciliation.

O Yas

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#### Statement of truth

Once completed press continue – this will take you to another screen – your petition has **NOT** been submitted.



#### Statement of truth

The petitioner believes that the facts stated in this applicati	ion are t	true.
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$\bigcup$	Yes	$\bigcirc$	Ν

Lam duly	authorico	d by tho	notitionar t	o cian thic	statement.
i am dulv	authorise	a by the	petitioner t	o sian this	statement.

$\bigcap$	Yes	$\bigcirc$	١
$\bigcirc$		$\cup$	

VΩ	ır	na	mΔ

Name of your firm		

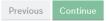
You could be fined or imprisoned for contempt of court if you deliberately submit false information.

If you have any comments you would like to make to the court staff regarding the application you may include them below.

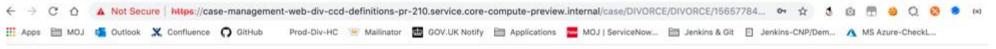
#### Additional comments (Optional)

For the attention of court staff. These comments will not form part of the petition

**^** 

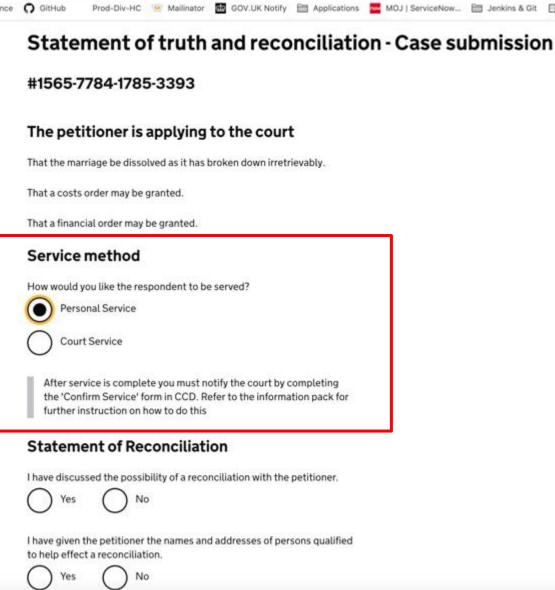






Personal Service is requested in the Solicitor Statement of Truth event when you are creating the petition.

For more information on Personal Service and for the steps you must take following service of the petition please see section 5 of this pack.





# Cases for Urgent Jurisdiction:

There will now be an option for solicitors to select whether their case is an urgent jurisdiction case, which will allow the caseworkers to identify cases to be dealt with quickly. This option must only be used in cases where there is a "race to jurisdiction".

If the case has been selected as urgent, it will open up the option to add additional details about the case. Whilst this textbox is option, it is useful to provide enough information for the Courts to efficiently prioritise your case.

BETA This is a new service - your feedback will help us to improve it. Statement of truth and reconciliation - Case submission #1610-0136-8762-5395 The petitioner is applying to the court That the marriage be dissolved as it has broken down irretrievably s this an urgent jurisdiction case? Any supporting information or instructions? (Optional) Service method How would you like the respondent to be served? ( Court Service ) Personal Service Statement of reconciliation I have discussed the possibility of a reconciliation with the petitioner. I have given the petitioner the names and addresses of persons qualified Yes No

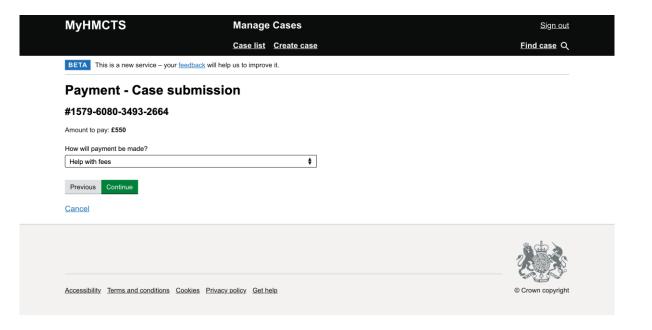
Is this an urgent jurisdiction case?

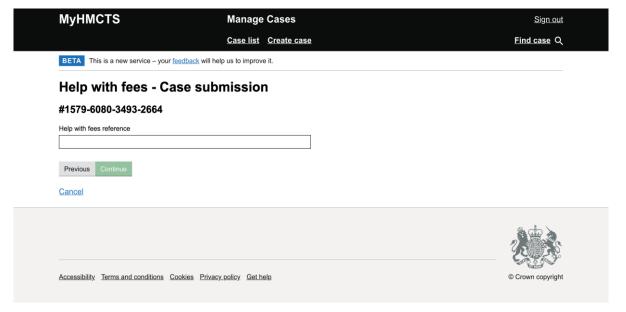
You will be able to see your case marked as urgent on the petition once submitted.

### **Payment**

You will be asked to confirm your payment type to cover the Court fee for making the application. This can be through Payment By Account (PBA), or an online HWF's reference number. The fee remains the same as the paper process (£550). This will be debited from your account prior to the application being issued unless an online HWF's number is made available.

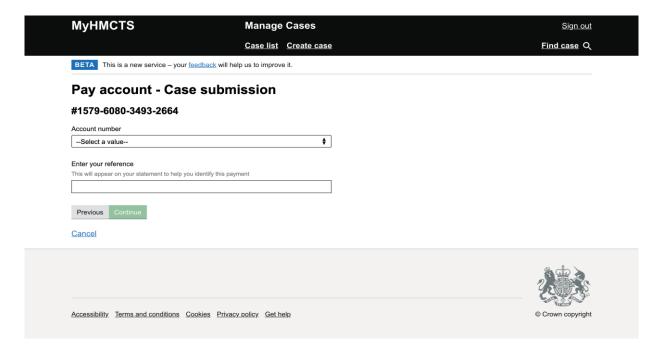
If you select Help with Fees as your preferred payment method, you will be asked to enter the Help with Fees reference number and click 'continue'.







### Payment by PBA;



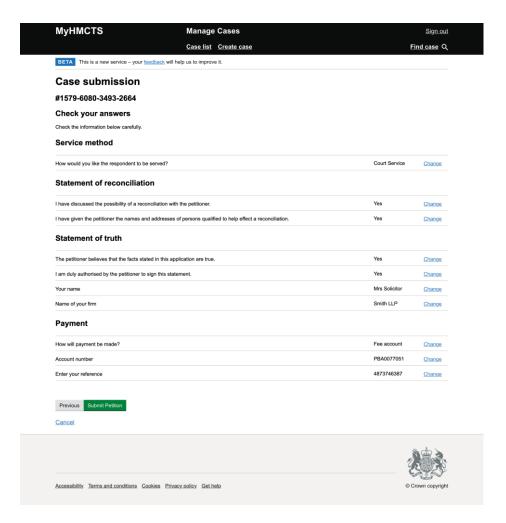
If you chose to pay through PBA, there will be no need to enter your PBA account number as this is automatically looked up and linked to your organisation. If your organisation has more than one PBA account number, these will all be made available for you to chose from.

If there is an issue taking the payment from the PBA, e.g. there are sufficient funds available, then this will be displayed in an error message and you will be unable to proceed to the next page.

If your PBA payment is successful this is deducted from the account immediately and the case moves into the state 'submitted' state.



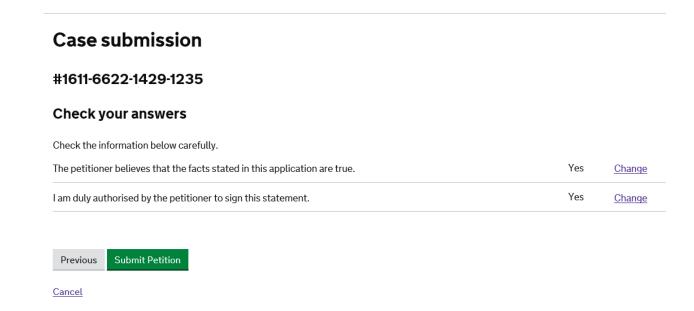
### **Review Payment screen;**



HM Courts &
Tribunals Service

You will have an opportunity to check your answers before continuing.

This is the final screen and you will note you have a button which says 'Submit' it is at this point your petition will be submitted to the Court and Tribunal Service Centre to be processed.



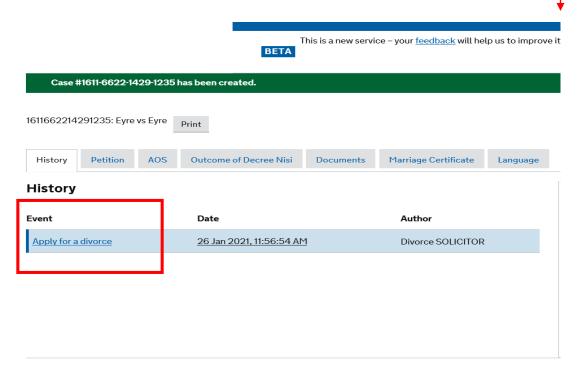
### **Ensuring a case has been submitted**

If a case has been successfully submitted, both Apply for a divorce AND Case Submission will be showing on the History tab

If only Apply for divorce is showing then the case has not been submitted to HMCTS and we will not be able to view it.

To complete the submission, select *Case submission* from the drop down box on the top right, click on **Go** and then complete all information until you reach and click on the green **Submit** button.





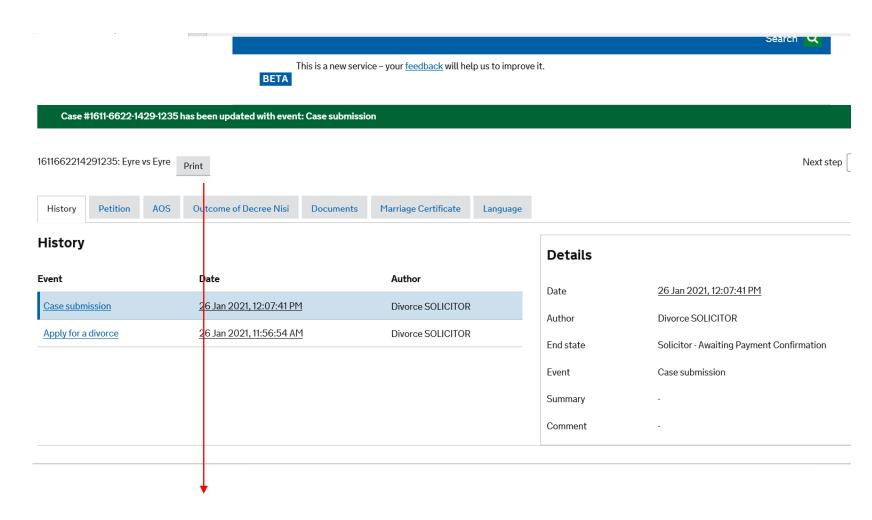


### Following submission;

You will see you have been allocated an interim reference number and you will be able to see the details of the application you have made displayed on the tab;

- History From the History tab, you will be able to track the progress of your case. This will enable you to keep parties updated without contacting the Court.
- Solicitor,
- Petitioner,
- Respondent,
- · Marriage certificate,
- · Reason for Divorce,
- · Jurisdiction,
- Other legal proceedings,
- · Prayer,
- and Documents.





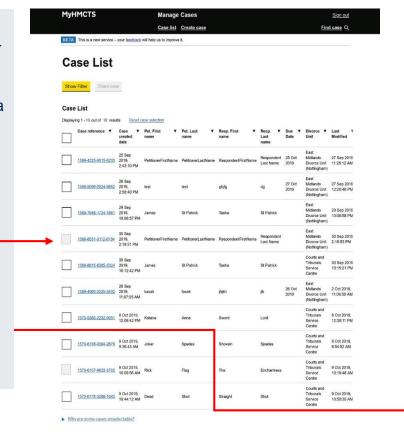
As before, please do not use the Print button as this is for internal use only and this will only give you data rather than information on the case.

Once your petition has been submitted, you will be able to give access to another solicitor within your organisation.

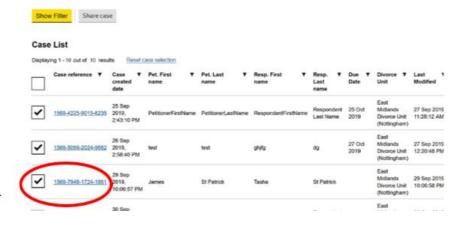
As a solicitor who has been given access to a case by another solicitor within your organisation, you will be able to see the case and share the same permissions as the person who gave the access..

To share a case, select the check box next to the case number and then the 'Share case' button

If the box is greyed out it means the case cannot be shared, this is either because the case has not yet been issued or it was created before this feature was available.



#### Case List



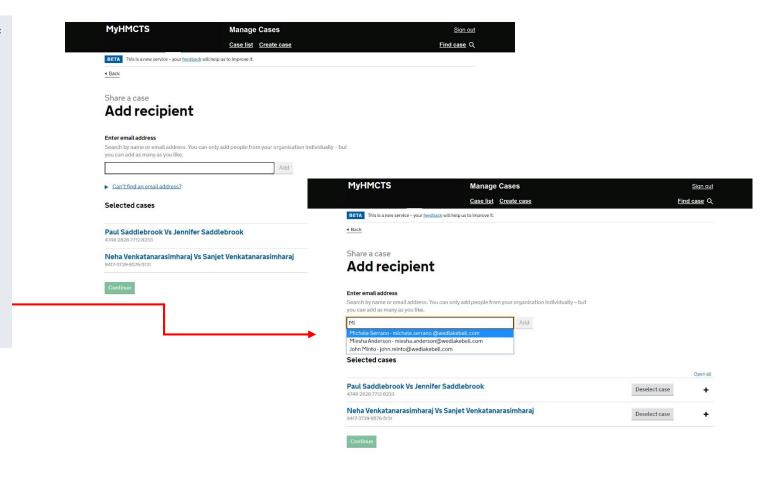


You then need to enter the email address of the user you would like to share the cases with and select the "continue" button.

#### Note:

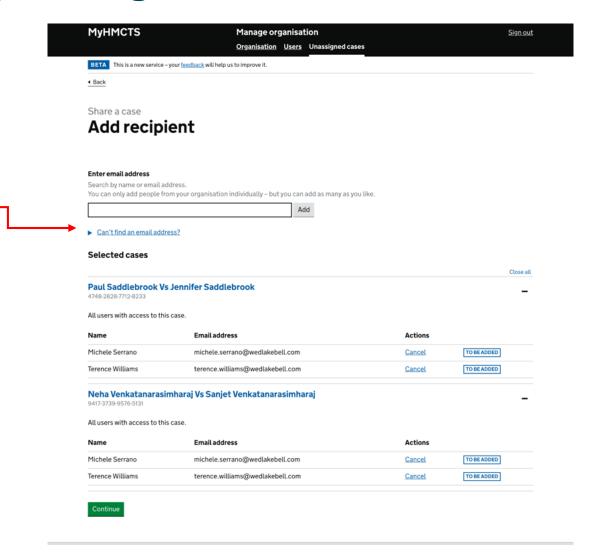
- You can only select users from within your organisation.
- If you cannot find your colleague's email address, they will need to complete their MyHMCTS registration.

Please contact your administrator for help. You can also review your selected cases and 'deselect' any that you no longer wish to share by clicking the 'deselect case' button.





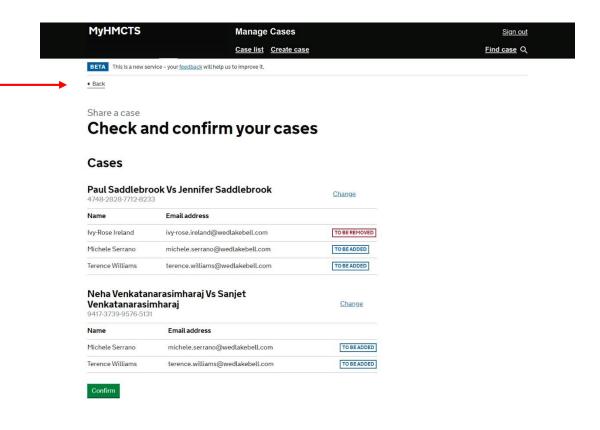
This screen shows all of the cases that are ready to be shared and the people who will now have access to them. When you have finished adding the colleagues you wish to share the case with, you can click 'continue'.





If the details on the 'check and confirm your cases' screen are correct, click 'confirm'. You will then be taken to the final confirmation screen. If you need to make any changes, click the 'back' link at the top left of the screen to go back to the previous one, or click the 'change' button.

All of the cases that have been shared with you by your colleagues will also appear in your case list. Your case list will become a list of all of the cases you have access to.





### **Supporting Practice Direction;**

Pilot Practice Direction PD41A has been put in place to allow the filing of a petition via electronic means and also allow for a Statement of Truth rather than a wet signature:

https://www.justice.gov.uk/courts/procedure-rules/family/practice\_directions/practice-direction-36e-pilot-scheme-procedure-for-online-filing-of-applications-in-certain-proceedings-for-a-matrimonial-order

