

# SUSSEX FAMILY HISTORY GROUP

## DIVORCE



### Terms you will need to know:

petitioner - the husband or wife who starts legal action in a divorce

respondent - the spouse who is being divorced

co-respondent - a person accused of adultery with the spouse of the petitioner for divorce

decree nisi - a document giving grounds for divorce and stating when the petitioner can apply for a decree absolute

decree absolute - a document finalising a divorce.

### from The National Archives: Looking for records of a divorce

When you are looking at this online there are various pop-ups providing more information.

This is a brief guide to help you with your research. Divorce records are incomplete and are kept in a variety of archives. This guide will help you to find out if the information you are looking for exists, and if it does where to find it.

### What do I need to know before I start?

Try to find out:

the names of the petitioner, ie the husband or wife who starts legal action in a divorce, and the respondent, ie the spouse who is being divorced and the approximate date of the divorce.

### What records can I see online?

Divorce case files & decrees from 1858 to 1915 are available online at [www.ancestry.co.uk](http://www.ancestry.co.uk)

### What records can I find at The National Archives at Kew?

#### Divorce case files (1858-1937)

Search Discovery, the TNA catalogue (a search tool with descriptions of tens of millions of documents from the UK central government, law courts, and other national bodies), by name of petitioner, respondent, or co-respondent a person accused of adultery with the spouse of the petitioner for divorce suits in England and Wales, both successful and unsuccessful, in J 77.

Search by Forename and Surname.

To access these records you will either need to visit the TNA, commission research (payment required) or, where you can identify a specific record reference in The National Archives, order a copy (there will be a charge).

## What records can I find in other archives and organisations?

### Decrees absolute (1858 to present)

Find the decree absolute to obtain legal proof of a divorce in England or Wales by requesting a search (there may be a charge for accessing this information, searching indexes may be free) of the Central Index of Decrees Absolute. To do so, download Form D440 from Her Majesty's Courts and Tribunals Service website and post it to the Principal Registry of the Family Division. <https://www.gov.uk/copy-decree-absolute-final-order>

### Scottish divorce records (1563 to present)

Contact The National Archives of Scotland for Scottish divorce records before 1984.

<http://www.nas.gov.uk/default.asp>

Contact the General Register Office for Scotland for Scottish divorce records from 1984 to the present. <https://www.nrscotland.gov.uk/>

### Northern Irish divorce records

Contact the court where the divorce was granted: either the Royal Courts of Justice (Belfast) or a county court. For the contact details, use the Courthouse Information Leaflets on the Northern Ireland Court Service website. This is a difficult website to find information.

## What other resources will help me find information?

### Websites

Search The Times Archive (There may be a charge for accessing this information. Searching indexes may be free.) to view articles about some of the more newsworthy divorce cases from 1785-1985.

Browse a list of private Acts of Parliament to check for divorces before 1858.

### Books

Read Road to Divorce: England 1530-1987 by Lawrence Stone (Oxford University Press, 1990).