

Petition for a presumption of death decree/order and the dissolution of a marriage/civil partnership

To be completed by the Court	
Name of court	
Case No.	
Date received by the court	
Date issued	
Time issued	

Notes to Petitioners

- This form should be used if you are making an application to the court for a decree/order to end your marriage/civil partnership due to the presumed death of your spouse or civil partner.
- Before completing this form, please read the supporting notes for guidance on completing the form.
- Please answer all questions. If you are unsure of the answer to any question, or you do not think that it applies to you, please indicate this on the form.
- If there is not enough room on the form, you may continue on a separate sheet. Please put your name, the Respondent's (your spouse/civil partner) name, and the number of the Part the information relates to, at the top of your continuation sheet.
- If completing this form by hand, please use **black ink and BLOCK CAPITAL LETTERS** and tick the boxes that apply.

I, (please state your full name)

apply for a presumption of death decree/order and dissolution in respect of my

☐ marriage

☐ civil partnership

and give the following details in support of my application.

continued over the page ➞

Part 1 About you (the Petitioner) and the Respondent (your spouse/civil partner)

See the supporting notes for guidance

Petitioner

My current name is

First name(s) (in full)

Last name

My address is (including postcode)

Postcode

My date of birth is

 / /

My occupation is

I am

☐ male ☐ female

Respondent

The Respondent's last known name is

First name(s) (in full)

Last name

The Respondent's last known address is
(including postcode)

Postcode

The Respondent's date of birth is

 / /

The Respondent's occupation is

The Respondent is

☐ male ☐ female

Part 2 Details of marriage or civil partnership

See the supporting notes for guidance

On the day of [19] [20]

(insert your name **exactly** as it appears on your marriage/civil partnership certificate)

☐ married ☐ formed a civil partnership with

(insert the name of the Respondent **exactly** as it appears on your marriage/civil partnership certificate)

at

(insert the place where the marriage/civil partnership was formed, **exactly** as it appears on your marriage/civil partnership certificate)

A certified copy of your marriage/civil partnership certificate must be sent to the court with this completed application form (see supporting notes for guidance).

Part 3 Jurisdiction

See the supporting notes for guidance

The Respondent and I last lived together as ☐ husband and wife ☐ civil partners
at

Address

The court has jurisdiction to **hear this case** on the following grounds

- ☐ The Petitioner is domiciled in England and Wales on the date when this application is issued
- ☐ The Petitioner was habitually resident in England and Wales throughout the period of one year ending with the date when this application is issued

or, if neither of the above applies and the application relates to a civil partnership,

- ☐ The Petitioner and Respondent registered as civil partners of each other in England and Wales and it would be in the interests of justice for the court to assume jurisdiction
(please state brief reasons)

Part 4 Other proceedings

See the supporting notes for guidance

- ☐ There are and/or have been
 - ☐ proceedings in any court in England and Wales or elsewhere with reference to the
 - ☐ marriage
 - ☐ civil partnership
 - ☐ or to any child of the family
 - ☐ or between the Petitioner and Respondent with reference to any property of either or both of them(please enter details below)

or

- ☐ no other proceedings in any court in England and Wales or elsewhere.

continued over the page ➞

Part 5 The fact(s)

See the supporting notes for guidance

☐ I apply for a presumption of death decree/order and dissolution of the marriage/civil partnership.

The Respondent and I have not lived together since

D	D
---	---

 /

M	M
---	---

 /

Y	Y	Y	Y
---	---	---	---

The circumstances in which we stopped living together were

The Respondent was last heard of on or around

D	D
---	---

 /

M	M
---	---

 /

Y	Y	Y	Y
---	---	---	---

at (please provide the address or location)

I have taken the following steps to find the Respondent

☐ In the alternative, I apply for a divorce decree/dissolution order, if the Respondent is still alive, on the ground that the marriage/civil partnership has broken down irretrievably, and attach a separate petition for divorce/dissolution.

Part 6 Statement of case

See the supporting notes for guidance

(please state briefly any other relevant details about the presumption of death on which you rely)

Part 7 Details of the children

See the supporting notes for guidance

Children of the family

Full names of the children of the family	Gender		Date of birth (or state if over 18) (dd/mm/yyyy)	Over 16 but under 18 and in education, training or working full time	(a) Child of both parties	(b) Other child of the family
	male	female				
	<input type="checkbox"/>	<input type="checkbox"/>	<div> <div>D</div><div>D</div>/ <div>M</div><div>M</div>/ <div>Y</div><div>Y</div><div>Y</div><div>Y</div> </div> <div></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<div> <div>D</div><div>D</div>/ <div>M</div><div>M</div>/ <div>Y</div><div>Y</div><div>Y</div><div>Y</div> </div> <div></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<div> <div>D</div><div>D</div>/ <div>M</div><div>M</div>/ <div>Y</div><div>Y</div><div>Y</div><div>Y</div> </div> <div></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<div> <div>D</div><div>D</div>/ <div>M</div><div>M</div>/ <div>Y</div><div>Y</div><div>Y</div><div>Y</div> </div> <div></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Children of either party who are not children of the family

Full names of the children of either party who are not children of the family	Gender		Date of birth (or state if over 18) (dd/mm/yyyy)	Born to or adopted by Petitioner	Born to or adopted by Respondent
	male	female			
	<input type="checkbox"/>	<input type="checkbox"/>	<div> <div>D</div><div>D</div>/ <div>M</div><div>M</div>/ <div>Y</div><div>Y</div><div>Y</div><div>Y</div> </div> <div></div>	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<div> <div>D</div><div>D</div>/ <div>M</div><div>M</div>/ <div>Y</div><div>Y</div><div>Y</div><div>Y</div> </div> <div></div>	<input type="checkbox"/>	<input type="checkbox"/>
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Part 8 Special assistance or facilities if you attend court

See the supporting notes for guidance

If you are required to attend court during these proceedings will you need any special assistance or facilities?

☐ Yes (please supply details below) ☐ No

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Part 9 Service details

See the supporting notes for guidance

- ☐ I am not represented by a solicitor in these proceedings
- ☐ I am not represented by a solicitor in these proceedings but am receiving advice from a solicitor
- ☐ I am represented by a solicitor in these proceedings, who has signed Part 10, and all documents for my attention should be sent to my solicitor whose details are as follows:

Box 1 Solicitor's details

Name of solicitor			
Name of firm			
Address to which all documents should be sent for service	Telephone no.		
	Fax no.		
	DX no.		
	Your ref.		
Postcode	<input type="text"/>	<input type="text"/>	<input type="text"/>
E-mail			

The address to which all documents should be sent for service is:

Box 2 Petitioner's address for service

Address (including postcode)
Postcode <input type="text"/>

Part 10 Prayer

The Petitioner therefore prays

The application

That the ☐ marriage ☐ civil partnership be dissolved

Signed

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Petitioner ['s Solicitor]

Dated / /