



Your Legal Questions

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Q My husband and I separated about 2 years ago when he moved out. I am still living in the home that we own with our 2 children aged 9 and 7. My husband sees the children most weekends and pays me maintenance for them. I work part time and receive Tax Credits. My husband and I have never taken any steps to get divorced. I have now been told that Legal Aid is no longer available for divorce and I am very worried about taking legal steps to get divorced without a solicitor.

A At the moment as long as you qualify financially for Legal Aid it is still available for divorce and other aspects of what is called private family law such as disputes about the financial aspects of a separation/divorce or the arrangements for the children. However in April 2013 Legal Aid will no longer be available for private family law other than cases where stringent criteria are met regarding domestic violence or child abuse.

I would therefore suggest that if you think that you may be eligible for Legal Aid you seek legal advice sooner rather than later to ensure that you can take steps to get divorced and resolve the financial aspects of your separation. If you leave it until April 2013 then you will probably not be able to receive any free legal advice.

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