

Cheap divorce websites carry hidden costs, lawyers warn

Couples who turn to cut-price online firms to deal with their break-up may find it saves neither time nor money. **Jill Insley** reports

Solicitors have warned couples planning to use low-cost websites to get a “quickie” divorce that they could risk making catastrophic errors through lack of legal advice.

Websites offering online divorces have soared in popularity in recent years, and are expected to become even more widely used after the government’s planned abolition of legal aid for couples who want to end their marriage. The services are often promoted with rock-bottom prices, starting at £37 for an “instant download divorce” from Fastrack Divorce.

But although the sites offer a variety of options – Quickie-divorce.com, for example, charges £40 for a three-minute download service, £69 for a “personalised” service and £137 for a “personal plus” service, traditional family solicitors say their clients risk getting insufficient advice about children and finances.

Linda Lee, the president of the Law Society, said: “Divorce can be a highly complex issue and it would be difficult for any case to receive a full and thorough analysis without a client having had the benefit of at least one face-to-face meeting with a family law solicitor.

“Even the most straightforward divorce cases, where a couple have no children or any significant assets and

where they agree not to contest each other can develop into complicated and stressful legal actions. An online managed divorce is certainly not suitable in cases where there is the existence of, or potential for, an imbalance of power between the parties, or if one side is being obstructive or withholding information. The cheapest option is not always the best option.”

Helen Siggers, a solicitor specialising in matrimonial and family law with the Barr Ellison practice in Cambridge, has been practising law for 20 years. She said: “There are some cases where there are no assets, it’s been a very short marriage and there are no children. But the majority of cases need advice.”

But Mark Keenan, the managing director of Divorce Online – which has been running for 10 years and claims to handle one in 15 divorces in England and Wales – says solicitors misunderstand its role. “We’re the end of the process, not the beginning. We recommend that people seek advice from solicitors, then once they’ve decided how to deal with their finances, children and other issues, come to us for the uncontested divorce. We can’t give advice.”

But although the terms and conditions do say clients should seek advice from a qualified solicitor, Divorce Online does



Ring cycle: Women will be hit hardest by the government’s decision to scrap legal aid in divorce cases. Alamy

not publish any obvious warnings on its website indicating that couples should seek advice before signing up.

Keenan adds that at £69 for its gold DIY divorce service (plus a 15% discount through VoucherCodes.co.uk), the firm can arrange divorces for less than solicitors, who typically charge between £150 and £200 an hour.

Roz Bever, a partner specialising in family law with Manchester firm Mace & Jones, accepts Keenan’s claim, but adds that the saving achieved by getting an online divorce would be negligible.

She said: “It’s sorting out the finances and the children that costs money. Drafting of the divorce petition and settlement of arrangements for children, and filing them with the court, would take half an hour to an hour maximum. Then applying for the decree nisi would take

another 18 minutes, while application for the decree absolute takes six minutes.”

The government announced in November that it planned to scrap legal aid funding for divorces, with justice minister Jonathan Djanogly saying private markets, rather than the state, would be expected to fund proceedings.

He is also keen for couples whose relationship has broken down to try mediation. Djanogly said: “Mediation can be quicker, cheaper and provide better outcomes than going to court. We are now actively looking at ways we can make sure everyone who wants to issue family proceedings is aware of mediation.”

Women will be worst hit by the reforms announced in November, according to the Ministry of Justice. Of the people who will no longer qualify for legal aid under the changes announced

November, women outnumber men by nearly three to two. However, the government said it was convinced that most of those in need, such as people affected by domestic violence, would still qualify.

Many law firms refer clients to banks that provide funding for litigation. And the Co-operative Bank last week unveiled plans to launch deals aimed at letting law firms lend clients money to fund divorce proceedings and achieve a financial settlement. Its first deal is with the Manchester branch of solicitors’ firm DWF, enabling the firm’s private clients to borrow at rates of 5% above base (variable), on a monthly basis, with a 1% arrangement (minimum £500).

However, Bever says that clients with no prospect of getting assets as part of a settlement to enable them to repay such loans are unlikely to qualify.



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