Family Law

Applicant
In a divorce case the applicant is the person filing for the divorce.

Affidavit
An affidavit is a statement, written on oath, that the details included in a divorce application are correct.

Application for Divorce
An Application for Divorce is made using Form 4. The marriage details and the personal details of both parties are entered on this form.

Decree absolute
A decree absolute is a final decision or order that legally ends a marriage. The parties are now free to remarry. The decree absolute is usually issued four weeks after the decree nisi.

Decree nisi
A decree nisi is a conditional decision or order made after the divorce proceedings. At this stage the divorce is not final and the parties are still married.

De facto
A de facto wife and a de facto husband are individuals who live together, but are not married.

Dependent
A dependent is a person who is supported financially by another person. In divorce proceedings the term dependents usually refers to the children of the marriage.

Dissolution
A dissolution of a marriage occurs when one of the parties has died or by a judicial decree.

Ex nuptial
Ex nuptial applies to something that has occurred outside of the marriage. For example, a child born outside of the marriage would be an ex nuptial child.

Form 4
A Form 4 is the form used for an Application for Divorce. It is used to record the details of the marriage and the personal details of both parties.

Form 17
A Form 17 is the form used to detail the finances of parties involved in a dispute. The completed form is known as the Statement of Financial Circumstances.

Guardian
A guardian is someone who is responsible for the welfare of a child.

In loco parentis
The term in loco parentis means in the place of a parent.
**Interim custody order**
An interim custody order applies in a custody dispute where one party has full custody of the child (or children) until the full court hearing takes place.

**Respondent**
In a divorce case the respondent is the person who has not applied for the divorce.

**Statement of Financial Circumstances**
A Statement of Financial Circumstances is the statement used to detail the finances of the parties involved in a dispute. A Form 17 is used to create the Statement of Financial Circumstances.