Huffe Divorce E-Book: An Overview of Divorce Law in Singapore

Practical Tips and Guidance on Divorce for Singaporeans, PRs and Expats

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Who is Huffe?

The Huffe portal ([www.huffe.com](http://www.huffe.com)) is an online portal which aims to inspire existing marriages while empowering individuals in a divorce.

A divorce is a life changing event for all individuals, both financially and emotionally. Moreover, the legal aspect of a divorce may be complicated.

The Huffe portal aspires to provide a guiding hand to all individuals contemplating or going through a divorce, helping you through a difficult period in your life.

Like our FB Page: [https://www.facebook.com/strongfamilylife/](https://www.facebook.com/strongfamilylife/)
Pre-Divorce Checklist

If your marriage has broken down, we want to encourage you to reconcile and rebuild your marriage. It is only where things are fully beyond reconciliation, that you should consider a divorce.

A divorce can be one of the most important decisions of your life, as it may have negative consequences on yourself and children. This decision is not to be taken lightly, and should only be used as a method of last resort.

As a result, Huffe has compiled a Pre-Divorce Checklist containing matters you should consider before embarking on a divorce, to ensure that you come to this decision in a rational and careful manner.

For more details, see https://www.huffe.com/pre-divorce-checklist/
Pre-Divorce Checklist

A. Finding support
• Take a step back and consider repairing your relationship, no matter how angry or hurt you may feel
  • Consider marriage counseling
  • Build your support system – a divorce is emotionally trying and you will need a support system consisting of your family and friends to support you.

B. Repairing your relationship
• Effort from both parties is required to maintain any relationship, especially a marriage. Repairing a marriage that is breaking down is hard work and requires effort from both you and your spouse.
  • Address your own fears and insecurities
  • Improve on your communication and take action
  • Rather than harping on the problems, take some time apart and focus on finding a solution

For more details, see https://www.huffe.com/pre-divorce-checklist/
Pre-Divorce Checklist

C. Dealing with your spouse
• Despite your best efforts, your marriage may still break down.
  • Do not be afraid to walk away, especially from a cheating or abusive spouse.
  • A divorce may in fact, bring you a sense of relief, giving you freedom to start anew.

D. Effects of a divorce
• A divorce will inevitably, affect you deeply on a personal level. Even if you are the most adaptable person in the world, please do remember that it is normal to feel the following:
  • Negative emotions and low self-esteem
  • Social stigma
• Nevertheless, it is important to remember that your divorce does not define who you are, and once you get through this period, you will come out a stronger person.
Pre-Divorce Checklist

E. Practical problems

• Aside from your own emotions, a divorce can severely impact your children, career and finances as well.
  • Children are often caught in the middle during marital disputes and thus, regardless of their age, it is important to prepare and inform them of the divorce.
  • A divorce may affect your career and finances as the process may take up a lot of your time.

Concluding remarks
After going through this checklist, you can then consider if divorce is the best option for you. Deciding on a divorce shouldn’t be done callously, and if you are certain, engage a good divorce lawyer who will provide you guidance through this process.

For more details, see https://www.huffe.com/pre-divorce-checklist/
# Different Types of Divorce Procedures

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For more details, see https://www.huffe.com/divorce-procedure-in-Singapore/
The Divorce Procedure: Civil Divorce

A. Overview
Divorce is a two stage process:
• Stage 1: Dissolution of marriage
• Stage 2: Ancillary Matters

B. Requirements
You can get a divorce in the Family Justice Courts if you or your partner:

✓ Are a Singapore citizen or Singapore Permanent Resident
✓ Have lived in Singapore for a minimum of 3 years
✓ Are domiciled in Singapore
✓ Married for at least 3 years (s. 94 Women’s Charter)

Exceptions: Court may grant divorces in marriages that are less than 3 years if you have suffered exceptional depravity or hardship.

C. Grounds for divorce
Your marriage must have irretrievably broken down and thus, must fall within at least one of the following categories:
• Adultery
• Unreasonable behaviour
• Desertion
• Separation

For more details, see https://www.huffe.com/divorce-procedure-in-Singapore/
D. Steps in a divorce proceeding

i. Start the proceedings by filing the relevant legal documents.

ii. Serve the sealed copies on your spouse to alert him/her that you have initiated divorce proceedings.

iii. Obtain your first court date.

iv. First stage of the divorce, which is the **Divorce hearing**.

v. Ancillary matters pre-trial process.

vi. Ancillary matters hearings.

vi. Obtain a certificate of making interim judgment final, which finalises your divorce and conclude all court proceedings.

For more details, see [https://www.huffe.com/divorce-procedure-in-Singapore/](https://www.huffe.com/divorce-procedure-in-Singapore/)
The Divorce Procedure: Muslim Divorce

A. Overview

• Singapore’s Syariah Court derives jurisdiction from the Administration of Muslim Law Act (AMLA).
• Before acquiring jurisdiction, the Syariah Court must first determine that the parties involved are, in fact, Muslim.
• Therefore, the court looks at the substance of the marriage to decide whether the marriage conformed to the norms of Muslim law.

B. Initiation of divorce by the husband

• When a Muslim husband wishes to divorce his wife, he need only pronounce talak on her.
• He does not need to prove that the wife has done anything wrong; he is allowed to divorce her simply because he no longer wishes to remain married to her.
• Once talak has been pronounced, the parties can legally file for divorce at the Syariah Court.
• The statement is usually pronounced outside court and thus, both parties must appear before the within seven days of the pronouncement to provide details and particulars to the court.
• Thereafter, they would have to register for the Marriage Counseling Programme before they can initiate divorce proceedings.

For more details, see https://www.huffe.com/muslim-divorce/
The Divorce Procedure: Muslim Divorce

C. Initiation of divorce by the wife

- **Talak**: If a Muslim wife wishes to file for divorce and the husband consents, the Syariah Court would request for the husband to pronounce divorce (*talak*) instead.

- **Khuluk**: If the husband does not agree, they can agree to a divorce by redemption (*khuluk*). This form of divorce involves the court assessing the amount of payment to be made by the wife in accordance to the status and means of the parties and will order the husband to pronounce a divorce by redemption. After paying the stipulated sum, the divorce can be registered.

- **Taklik**: This is a situation where a Muslim husband has breached express terms, such as terms written at the time of marriage or after marriage. Once the wife can prove breach of any of these terms, she would be allowed to leave her husband.

- **Fasakh**: This is a situation where a Muslim husband has breached implied terms, which are terms implied in law or by custom. A husband’s failure to perform marital duties for a period of one year can also constitute breach.

For more details, see https://www.huffe.com/muslim-divorce/
The Divorce Procedure: Muslim Divorce

D. The procedure

i. Initiating party fills in and submits a registration form (takes about 4 to 6 weeks).

ii. Both parties required to attend mandatory counseling for 2 to 4 months to ensure that are certain about embarking on a divorce.

iii. If the counseling fails, the Syariah Court will arrange for the initiating party to file a case statement setting out the ground for divorce that the party is relying on.

iv. The court will prepare an Originating Summons (OS) and serve it on the other party as defendant.

v. After the OS is filed and served, mediation is the first court session to discuss the divorce and ancillary matters. Where the parties agree, the mediation agreement would be recorded and can be converted into a consent order for divorce.

vi. After a waiting period of 3 months, a divorce certificate would be issued and the parties would be legally divorced.

For more details, see https://www.huffle.com/muslim-divorce/
The Divorce Procedure: Muslim Divorce

What if mediation fails?

i. Where mediation fails and you and your spouse cannot reach an agreement, the case would proceed to pre-trial conference(s) (PTC) where the Syariah Court would order for documents to be produced and for each party’s pleas to be filed.

ii. During these PTC’s, a hearing date would also be set.

iii. At the hearing, the court would hear both the issues of the divorce and the ancillary matters.

For more details, see https://www.huffe.com/muslim-divorce/
The Divorce Procedure: Expatriate Divorce

A. Overview
- If you are an expatriate residing in Singapore, you may wish to file for a divorce here instead of in your home country or the country where your marriage was registered in.
- However, do note that the divorce procedures and outcomes will inevitably be different due to the location of divorce, resulting from the differences in legal systems.
- Therefore, it is important for you to understand the repercussions of choosing to obtain a divorce in Singapore.

B. Requirements
✓ You have been married for more than 3 years and
✓ You have a ground for divorce and
✓ Either you or your spouse is domiciled (permanently resident) in Singapore or habitually resident in Singapore for a period of 3 or more years.

For more details, see https://www.huffe.com/expat-divorce-singapore/
C. The divorce process

i. An interim judgment will be granted when the court is satisfied that there is a ground for divorce (takes about 3 months if not heavily contested).

ii. Where the particulars and grounds of divorce are contested, your case will have to go to trial where a judge will decide the ground of divorce.

iii. After an interim judgment is granted, there is a compulsory waiting period of 3 months before a final judgment is passed to conclude the divorce process.

iv. In the period between the interim and final judgment, you and your spouse will have to settle the ancillary matters between yourselves.

v. If the ancillary matters are not contested, you and your spouse can just wait out the 3 month period before the final judgment is passed.

vi. Your divorce is legalised after the final judgment is granted.

For more details, see https://www.huffe.com/expat-divorce-singapore/
The Divorce Procedure: Expatriate Divorce

D. Contested ancillary matters
- If the ancillary matters (issues pertaining to custody, assets and maintenance) are in dispute, it will take much longer before your divorce is finalised.
- This is because you would need to gather evidence (e.g. receipts, medical reports, etc) and write affidavits (written statements declared by oath to be presented as evidence in court) to argue your case.
- The court would then read all the affidavits presented by you and your spouse and go through the evidence before deciding on how to settle the ancillary matters.
- Therefore, it would take more than 3 months to deal with contested ancillary matters.

E. Cost of divorce
- The cost depends on whether your case is a simple or complex and contested one.
- While some law firms in Singapore handle uncontested divorce cases for a fixed fee, it may cost significantly less elsewhere.
- As for contested cases, mediation is compulsory and thus, considerably more affordable.

For more details, see https://www.huffe.com/expat-divorce-singapore/
A. Dividing Matrimonial Assets

- Matrimonial assets are the following:
  1. Assets acquired during the marriage and
  2. Assets acquired before the marriage that were used or improved by either party, both parties or any children of the marriage.

- These assets are included into a pool of assets for division.
- Examples of matrimonial assets:
  - Cash balances in you and your spouse’s respective CPF accounts
  - Shares
  - Savings
  - Family car(s)
  - Matrimonial home (e.g. HDB)

For more details, see https://www.huffe.com/division-of-matrimonial-assets-singapore/
A. Dividing Matrimonial Assets

The following factors are taken into consideration when dividing matrimonial assets:

✓ Extent of contributions
✓ Needs of the children of the marriage
✓ Agreement between the parties in contemplation of the divorce
✓ Financial independence of the parties after divorce
✓ Debts undertaken by the parties
✓ Benefits enjoyed by the parties
✓ Other considerations

The Structured Approach

i. Court decides on a ratio representing the parties’ direct contributions towards the accumulation of matrimonial assets

ii. Court decides on a ratio representing the parties’ indirect financial and non-financial contributions towards the welfare of the family.

iii. Court averages the two ratios to derive each party’s overall contribution to the family.

For more details, see https://www.huffe.com/division-of-matrimonial-assets-singapore/
Ancillary Matters: Civil Divorce

A. Dividing Matrimonial Assets
- The Family Justice Court has the authority to make all such orders in order to give directions as may be necessary to give effect to the division of matrimonial assets. The court reserves the power to extend, vary, revoke or discharge any orders made.

B. Custody of Children
- This aspect of your divorce is arguably the most contentious part, and in making custody and access decisions, the Court prioritize the interests of your children, ensuring that they are taken care of in the best possible way.
- There are a few types of custody orders that a Court can possibly grant.
- This Order serves the following purposes:
  ✓ Provide for the children to visit a parent deprived of custody, such as the times and durations of such periods deemed reasonable by the Court.
  ✓ Give a parent deprived of custody the right to access at such times and with frequencies the Court deems reasonable.
  ✓ Prohibit the parent given custody from taking the child out of Singapore.

For more details, see https://www.huffe.com/division-of-matrimonial-assets-singapore/
Ancillary Matters:
Civil Divorce

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| Sole Custody Order  | - If the court deems that both parties will remain acrimonious towards each other in the future and unable to co-operate fully, sole custody will be granted.  
                      - This also occurs where other parent “gives up” custody to the other parent in exchange for a “better deal” on other ancillary matters.               |
| Joint Custody Order | - Both parents have some rights and say in making major life decisions for their children.                                                                                                                   
                      - Gives both parents an equal say over the upbringing of their children.                                                                                                                                     
                      - Separate orders on “care and control” and “access”.                                                                                                                                                       |
| Hybrid Order        | - Custody granted to only one parent, however, the parent with custody must consult the non-custodial parent on matters pertaining to the child’s welfare.                                                           |
| Split Custody Order | - Custody of one or more siblings is granted to one parent, while custody of other siblings is granted to the other parent.                                                                                     
                      - This arrangement is rare, as courts usually allow siblings to stay together to provide emotional support for each other.                                                                               |

For more details, see https://www.huffe.com/division-of-matrimonial-assets-singapore/
Ancillary Matters: Civil Divorce

B. Custody of Children

The Court determines the custody order in consideration of the following:

- **The Welfare Principle**: Court will weigh all relevant facts and circumstances in order to ascertain what the child’s best interests are.


- **Other factors** such as:
  - The child’s wishes (child must be above 10 years old)
  - Non separation of siblings
  - Age of the child
  - Current living arrangements
  - Maternal bond
  - Child’s primary caregiver
  - Parent’s wishes
  - Parent’s financial ability
  - Presence of family support

For more details, see https://www.huffe.com/division-of-matrimonial-assets-singapore/
Ancillary Matters: Civil Divorce

C. Maintenance
- An application for maintenance (or alimony) can be filed by an ex-wife under s. 113 of the Women’s Charter.
- The Court may order a man to pay maintenance to his wife or ex-wife either during the course of divorce proceedings or after a grant of a judgment of divorce, judicial separation or nullity of marriage.

Eligibility (For Women):
Under s. 69 of the Women’s Charter, you can apply for maintenance:
- For yourself from your husband, if you are a married woman whose husband neglects or refuses to provide you with reasonable maintenance
- For your child from your husband, if he or she neglects or refuses to provide your child with maintenance

Eligibility (For Men):
Requirements:
- Incapacity by a physical or mental disability, before or during the course of marriage.
- Inability to earn a living as a result of the disability.
- Inability to support himself.

For more details, see https://www.huffe.com/division-of-matrimonial-assets-singapore/
Ancillary Matters: Civil Divorce

C. Maintenance

Applications for maintenance are done at the Family Registry at Level 1 of the Family Justice Courts Building.

Factors determining the need for maintenance:

✓ Income, earning capacity (if any), property and other financial resources of the former wife
✓ Financial needs of former wife (if any)
✓ Age of each party to the marriage
✓ Any physical or mental disability of the wife or child in the duration of the marriage
✓ Standard of living prior to divorce
✓ Contribution made towards marital union
✓ Loss of any benefit acquired in the marriage
✓ Ability of the husband to pay maintenance

For more details, see https://www.huffe.com/division-of-matrimonial-assets-singapore/
Ancillary Matters: Civil Divorce

C. Maintenance

Types of Claims:

- **Substantial claims**: For spouses who are not working or do not have a high income. It will be granted so long as the court is satisfied with your reasons for maintenance.

- **Nominal claims**: It is unlikely for a court to award a spouse who is financially sufficient or even better off than the other spouse a substantial claim of maintenance. Thus, a nominal order preserves your right to claim maintenance (s. 112 of the Women’s Charter).

**Supporting documents to substantiate list of expenses:**

 ✓ List of monthly personal expenses
 ✓ List of monthly expenses for the children, if relevant
 ✓ Salary slips of both parties
 ✓ Income tax returns
 ✓ Documents evidencing any debts
 ✓ Receipts for household, personal and children’s expenses
 ✓ Any other documents that may be relevant to the parties’ means.

For more details, see https://www.huffe.com/division-of-matrimonial-assets-singapore/
Ancillary Matters: Civil Divorce

C. Maintenance

Other information:
- Period of maintenance lasts until the wife or husband dies, or the wife remarries.
- Maintenance for the children is usually paid by the parent that does not control and care.
- Under the Women’s Charter, both parents are equally responsible for the upbringing of their children and must play an active role in providing for their welfare.
- Thus, an order for maintaining a child will usually be in effect until the child turns 21, gains financial independence or graduates from tertiary education, whichever is later.
- If one party refuses to pay maintenance, the other party may file an enforcement application to the Court.
- Breaching the Court’s maintenance order may result in a fine, imprisonment or both.

For more details, see https://www.huffe.com/division-of-matrimonial-assets-singapore/
Ancillary Matters: Muslim Divorce

Overview
Syariah Court does not make any maintenance order for the wife and children. Thus, the wife has to go to the Family Justice Court to obtain a maintenance order.

Instead of ordering maintenance of the wife, the Syariah Court would make two forms of financial provision for the Muslim wife: nafkah iddah and mutaah.

- **Nafkah iddah**: Temporary form of maintenance that provides the possibility of reconciliation. The husband is required to pay a sum of money during this period, where the period of time is calculated according to 3 menstrual cycles of the wife.

- **Mutaah**: Refers to a consolatory gift that is paid from the husband to the wife upon divorce.

Enforcement:
- The AMLA ensures that Muslims can enforce orders made by the Syariah Court.
- Therefore, Muslim parties or parties married under Muslim law can lodge a Magistrate’s Complaint for breach of Syariah Court orders.

For more details, see https://www.huffe.com/muslim-divorce/
Ancillary Matters: Expatriate Divorce

A. Matrimonial Assets

- To make a claim on your spouse’s overseas assets, you must able to produce proof of these assets to the Singapore court.

- The Singapore court may also be able to grant a Mareva injunction upon the application of you or your spouse if there is a real risk that foreign assets may be disposed of or dissipated in order to prevent you or your spouse from dissipating assets before a divorce judgment is obtained.

- Where you have filed for divorce in Singapore and are able to prove the existence of these foreign assets, the Singapore court would consider these assets to be considered as matrimonial assets and the procedure in dividing such assets is the same as the one for a civil divorce (page 20).

- However, where you have been granted a divorce elsewhere, you may still be able to obtain financial relief in Singapore in relation to you or your spouse’s assets and maintenance.

- Nevertheless, these powers are only limited to situations where the foreign court made no financial orders or inadequate/unfair financial orders regarding the parties’ assets and maintenance.

For more details, see https://www.huffe.com/expat-divorce-singapore/
Ancillary Matters: Expatriate Divorce

B. Custody of children

- **Custody:** Usually, the court would order joint custody over children where both parents are able to cooperate in making major decisions for their children. It is only in situations where the court considers cooperation is impossible and joint parenting is not in the best interests of the child, the court would award sole custody to one parent.

- **Care and control:** The court would order care and control to the parent that is the most suitable, based on the paramount consideration of the welfare of the child.

- **Access:** The parent who does not have care and control of the children will be granted access to the children so that he or she can still be part of the children’s lives. If the parent without care and control is living overseas, special orders can be made for overseas access where that parent may bring the children over or the children may travel over to visit.

For more details, see https://www.huffe.com/expat-divorce-singapore/
Ancillary Matters: Expatriate Divorce

B. Custody of children

- **Relocation**: If you are an expatriate and attained care and control of your children and wish to take your children back to your home country, it requires consent of both you and your ex-spouse before your children can be moved to another country.

- **Permission to relocate**: If your spouse disagrees with the move, you can make an application to the court for a permission to relocate your children. The Court’s paramount concern is the welfare of the children and the court will not grant permission to relocate if you are unable to show that the move is in their best interests.

- **International child abduction**: If you have obtained custody as well as care and control of your children, it would be considered international child abduction for your spouse to take your children out of Singapore without your prior consent. The Hague Convention is a treaty signed by numerous countries worldwide that helps a parent from one member country to retrieve their internationally abducted children from the other parent in a member country. However, this Convention only deals with children below the age of 16.

For more details, see https://www.huffe.com/expat-divorce-singapore/
Ancillary Matters: Expatriate Divorce

C. Maintenance

- **Wife maintenance:** A wife has the legal right to apply for maintenance at the Family Registry of the Family Justice Courts.

- As long as she can prove neglect or refusal on her husband’s part to provide maintenance for her, the court may order the husband to pay her a monthly allowance or a lump sum.

- **Child maintenance:** The court will order the parent without care and control of the children to pay the other parent a monthly sum for the children’s expenses. You must maintain your children even if you do not have care and control, and even if your spouse refuses to let you see your children.

For more details, see https://www.huffe.com/expat-divorce-singapore/
Finding the Right Lawyer

A. Overview
A divorce is a life-changing experience mentally and emotionally draining along with being financially strenuous. You have entered your marriage with the intention of staying with your other half for the rest of your life and at that point of time, divorce is the last thing on your mind.

When a marriage fails and you want to get out of it, it is advisable to sit yourself down and get all the help you need. This is a decision that affects not only you, but the people around you as well and thus it is important for you to think through thinks carefully and rationally before embarking on this arduous journey.

Do review our Pre-Divorce Checklist and consult a marriage counselor to explore the emotional, social and financial impact a divorce will have on you and your children. This will prepare you emotionally for the next step. Often, it will help you see the bigger picture and a divorce may not be the most suitable solution in your circumstances. Remember that a divorce should only be used as a method of last resort.

For more details, see https://www.huffe.com/best-divorce-lawyer-singapore/
Finding the Right Lawyer

B. Key qualities of a good divorce lawyer

If you do decide to proceed, you need someone who is well-versed with matrimonial law and divorce proceedings. This person also needs to be one that is most suited to your circumstances based on your needs and you should feel comfortable while discussing your issues with him. Even if someone is the top divorce lawyer in Singapore, he or she may not be suitable for you.

Remember, choose someone who is the most suitable for you based on your circumstances of needs.

We have compiled a list of qualities of a good divorce lawyer:

✓ Well-versed with Singapore matrimonial law
✓ Suitability and comfort
✓ Experience
✓ Specialisation
✓ Engagement
✓ Good reviews

For more details, see https://www.huffe.com/best-divorce-lawyer-singapore/
Finding the Right Lawyer

C. Sourcing for a divorce lawyer

- **Word of mouth:** You may have close friends or relatives who have went through a similarly unfortunate experience. Therefore, not only would you have someone who may be empathetic and understanding of your situation, you may also go to them for referrals.

- **Online advertising:** You may go through online profiles of lawyers to see their suitability, but do take note of their fees and corresponding services. High fees do not always translate into better services. Moreover, it is also difficult to ascertain whether someone is suitable for you through the Internet.

- **Legal Services Regulatory Authority (LRSA) Directory of Lawyers:** This portal regularly updates the list of practicing lawyers and law firms in Singapore and the search function allows you to sieve through all law practices and collaborations registered with ease. However, do note that this is a large portal covering all aspects of the law and you have to be extremely patient when narrowing down your choices.

For more details, see https://www.huffe.com/best-divorce-lawyer-singapore/
Finding the Right Lawyer

D. Contacting your divorce lawyer
Having contacted the law firm of your choice, you should meet your lawyer in person for legal advice.

We have compiled a checklist for you to take note of before your first meeting with your family lawyer:
✓ Perform a detailed search on the law firm and lawyer whose services you want to engage
✓ Contact the lawyer you have chosen, most firms provide a free 20 minute consultation to explain the divorce procedure and provide you with brief advice as to the next course of action
✓ Explore all options with your lawyer before making an informed decision about whether you should proceed with a divorce
✓ Familiarise yourself with the divorce process
✓ Bring any documents that have been served to you

When you have finally met your lawyer, determine if this lawyer suits your requirements and it may be better to change your lawyer early if you feel that his approach does not align with your aims. If you feel uncomfortable discussing your problems with him, it is a sign he is not suitable for you.

For more details, see https://www.huffe.com/best-divorce-lawyer-singapore/
Alternatives to a Divorce

If you have reviewed our Pre-Divorce Checklist or talked to a lawyer and decided that a divorce is not the right solution for you, there are several alternatives which may be more suitable for your circumstances:

A. Private Family Mediation

Mediation is non-adversarial in nature and aims towards a “win-win” solution for all parties involved. It is also a lot less acrimonious as compared to a divorce, and may in fact be more suitable for you and your family, so as to maintain a civil relationship with your spouse for the sake of your children.

Thus, private family mediation allows you and your spouse to solve your problems privately and you are empowered to decide on the time frames in achieving the objectives of the mediation. Further, an environment out-of-court facilitates the likelihood of resolving complex familial issues in an amicable atmosphere.

For more details, see https://www.huffe.com/divorce-mediation-singapore/
# Alternatives to a Divorce

## A. Private Family Mediation

We have summarised the two most popular avenues of private family mediation in Singapore in the table below:

<table>
<thead>
<tr>
<th>Type of Mediation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Family (Matrimonial) Mediation Scheme</strong></td>
<td>- Aim of the scheme is to resolve matrimonial disputes in a timely and cost-efficient manner while reducing the emotional stress for all parties involved.</td>
</tr>
<tr>
<td></td>
<td>- A broad range of issues are considered in this mediation forum.</td>
</tr>
<tr>
<td></td>
<td>- Accredited matrimonial lawyers will be acting as mediators, investing a full day to help both parties mediate and resolve their differences in a civil manner.</td>
</tr>
<tr>
<td><strong>Collaborative Family Practice</strong></td>
<td>- Seeks to help parties reach a consensus which fulfills the needs of both sides.</td>
</tr>
<tr>
<td></td>
<td>- This commences before an court proceedings and thus, aims to prevent the parties from going into litigation and avoiding the emotional distress associated with adversarial procedures.</td>
</tr>
</tbody>
</table>

For more details, see [https://www.huffe.com/divorce-mediation-singapore/](https://www.huffe.com/divorce-mediation-singapore/)
Alternatives to a Divorce

B. Separation

Separation is a popular option for couples in Singapore facing difficult marriages, especially when neither you nor your spouse is at fault for the breakdown of the marriage.

This period of separation may allow you and your spouse to take some time and space away from each other, in order to reconsider your marriage and perhaps, offer an opportunity for reconciliation in the future.

There are three main ways for you and your spouse to initiate separation, namely:

i) Informally and not in writing

ii) A separation agreement (A Deed of Separation)

iii) A judgment of judicial separation

With regard to a Deed of Separation, it affects the outcome of your divorce if you and your spouse decide to end the separation with a divorce. The Court may pass judgment on your divorce settlement based on this document, since it is a document with the agreed terms and conditions of your separation.

For more details, see https://www.huffe.com/divorce-mediation-singapore/
Alternatives to a Divorce

C. Annulment

If you have been married for less than 3 years, you will be unable to apply for a divorce unless you are capable of proving exceptional depravity and hardship. Therefore, an alternative may be applying to annul your marriage instead.

However, following Chapter 3 of the Women’s Charter, an annulment may only be granted if your marriage is void or voidable in law.

If you do not meet such conditions, you may have to wait for your marriage to be 3 years old before applying for a divorce.

For more details, see https://www.huffe.com/divorce-mediation-singapore/
Alternatives to a Divorce

C. Annulment

Void Marriages
A marriage is void resulting from a flawed formation of marriage.

The following are situations where a marriage may be deemed void:
✓ Muslim marriage solemnised or registered under the Women's Charter
✓ Underage marriage
✓ Incestuous marriage
✓ Polygamy
✓ Marriage not between man and woman
✓ Marriage not properly solemnised
✓ Invalid overseas marriage

Voidable Marriages
A voidable marriage is one that is legally valid until it is annulled by a judgment of nullity and will only be considered annulled from the time of judgment and thus, may still be challenged.

The following are situations where a marriage may be deemed void:
✓ Non-consummation due to inability
✓ Non-consummation due to refusal
✓ Lack of valid consent to marriage
✓ One party unfit for marriage
✓ Sexually Transmitted Disease (STD) at the time of marriage
✓ Spouse impregnated by third party

For more details, see https://www.huffe.com/divorce-mediation-singapore/
Effects of a Divorce

A divorce is an event that not only affects you mentally, but physically as well. Research has shown that divorce has a serious effect on our minds and bodies and thus, to better cope with a divorce, it is important that you stay positive and healthy, no matter how difficult it may be.

This is the case especially if you have children, as in that situation, you are not going through this divorce alone, it is affecting your children as well. Your children will be viewing you as a pillar of strength through this trying period, thus it is paramount that you keep your health and emotions in check to be able to go through this difficult time together.

Communicate your thoughts and emotions to loved ones so you can receive support and eventually recover from the trauma caused by the divorce.

We understand that a divorce may be one of the most difficult things that you will ever have to go through, but you will come out of it a stronger and hopefully, happier person.

For more details, see https://www.huffe.com/effects-of-divorce/
## Effects of a Divorce

We have compiled a list of possible effects you may be facing post-divorce and suggested solutions to help you cope with them:

<table>
<thead>
<tr>
<th>Problem</th>
<th>Description</th>
<th>Possible Solution</th>
</tr>
</thead>
</table>
| Losing sleep             | Given the emotional stress and turmoil that you are facing, it may cause insomnia or affect the quality of your sleep. | - Avoid bringing work to the bedroom and avoid stimulating your brain too much before bedtime.  
                           |                                                                             | - Have a regular sleep schedule and stick to it.                                  |
| Drastic weight gain/loss | The trauma caused by a divorce may cause you to gain or lose a lot of weight within a short period of time due to either comfort eating or loss of appetite respectively. | - Draw up a meal schedule and stick to it.                                          
                           |                                                                             | - Avoid unhealthy snacking.                                                        
                           |                                                                             | - See a nutritionist to get advice on planning meals for your body’s needs.     |
| Anxiety                  | Divorce often results in feelings of betrayal and uncertainty, along with worries over your children or finances. | - Practice meditation or breathing exercises.                                      
                           |                                                                             | - Pamper yourself occasionally to relax.                                           |
| Depression               | Divorce may result in feelings of shame and failure, especially in the case of adultery. | - Confide in your loved ones                                                      
                           |                                                                             | - Write in a journal                                                             
                           |                                                                             | - If you suspect that you are suffering from depression, seek professional help immediately. |
Remarrying

A. The Legal Aspect

- You must wait 3 months before the final judgment of your divorce can be issued and after obtaining the final judgment, you can remarry.

- Marrying someone else upon obtaining the interim judgment is a criminal offence and you may be jailed or fined.

- It is possible for you to apply for an abridgment to shorten this waiting period, but it is subject to the discretion of the court.

- It is important to note that according to the Women’s Charter, the order for maintenance payments will expire upon the death of either ex-spouse or upon the remarriage of the wife. Therefore, if you remarry, your ex-husband can cease giving you maintenance. However, if your ex-husband remarries and you remain single, he has to continue paying for the maintenance.

For more details, see https://www.huffe.com/remarriage-after-divorce/
B. The Emotional Aspect

- You should prepare your children for this decision, as they would be directly affected by it.

- Prepare yourself for step-family life, as it has its own set of challenges that you may not have faced before. These problems may include disagreements on how to bring up stepchildren and unhealthy comparisons by stepchildren and in-laws to the previous spouse.

- Sign up for remarriage preparation programmes to fully prepare yourself for this new journey ahead of you.

- Put in the effort to understand what went wrong in your previous marriage and avoid bringing the mistakes and bad habits from your previous relationship into the new one.

For more details, see https://www.huffe.com/remarriage-after-divorce/