



DIVORCE MATTERS

Professional lawyer-mediator and collaborative lawyer RAJAN CHETTIAR answers questions on filing for divorce as an expat in Singapore.

Q: Can I get a court order to file for divorce before the first three years of marriage have passed?

A: It's difficult to obtain such a court order, but the Court may grant it, on the grounds that you can produce a psychiatric report proving the breakdown of the marriage is causing you severe emotional hardship and an early divorce will help you recover your mental health.

Q: What is the time period to get divorce proceedings finalised in Singapore?

A: The shortest period is six months. The Singapore Family Court usually deals with the divorce and then hears any ancillary matters. After the divorce hearing, the Court grants an Interim Judgment - or temporary divorce order - and the Final Judgment is granted three months later, provided any and all ancillary matters are resolved by then.

Q: How can I obtain an Interim Judgment quickly?

A: When filing, agree with your spouse on the facts you will be relying on to support the divorce. As long as your spouse doesn't contest divorce proceedings, the process becomes administrative.

Q: What should I do if my spouse and I are unable to come to an agreement?

A: File the divorce papers expeditiously and state the essential facts to support your request for divorce. Keep in mind however that divorce papers aren't an avenue to list complaints against your spouse. If your spouse wishes to defend the proceedings, he or she will have to file a defence - or countersue you for divorce, defence and counterclaim. You'll both then need to negotiate an uncontested divorce order or attend mediation. If a counterclaim has already been filed, consider amending your divorce papers and the counterclaim to obtain a speedy divorce.

Q: Does the reason for the divorce impact my spouse?

A: In Singapore, the reason for the divorce doesn't impact your spouse professionally, socially or in terms of immigration - it's just a way to end a marriage.

Q: Does the filing party have a legal advantage?

A: No. Your custody rights, share of maintenance or the division of matrimonial assets are not affected - either party can file.

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