

## **Practice Direction – Undefended Matrimonial Causes**

**No 1 of 2025**

### **Undefended Matrimonial Causes**

This Practice Direction is made pursuant to Rule 68A of the Matrimonial Causes Rules (“**the Rules**”) and supplements Rule 25 (1) (e) of the Rules.

#### **1. Introduction**

1.1 Rule 25 (1) (e) of the Rules provides for the hearing and determination of the trial of an undefended matrimonial cause, seeking the dissolution of a marriage, on the papers.

1.2 This Practice Direction seeks to outline the process for the making of an application for a Decree Nisi in an undefended matrimonial cause.

#### **2. Application for a Decree Nisi**

2.1 When the Registrar’s Certificate has been issued for an undefended matrimonial cause, an application may be made to the listing office of the Family Division for the hearing of the undefended matrimonial cause.

2.2 The application is made by letter and must include a draft Decree Nisi.

2.3 A Judge of the Family Division will review the application and determine whether it should be placed on the undefended matrimonial causes list.

2.4 The applicant shall be notified, within 7 days, whether the matter will be placed on the undefended matrimonial causes list and if so, a date for the hearing.

#### **3. The hearing of an undefended matrimonial cause on the papers**

3.1 Matters listed on the undefended matrimonial causes list will be heard and determined by a Judge by reference to the filed papers.



3.2 Save in the case of an unrepresented Petitioner, the Petitioner will not be required to attend the Court in person, as the filed affidavit will be accepted as the evidence for the purposes of the application.

3.3 If the Judge accedes to the grant of the Decree Nisi, the perfected Decree Nisi shall be returned to the applicant or his attorney at the hearing.

3.4 Each Judge assigned to hear undefended matrimonial causes will allocate a day and time in each week to hear these matters.

3.5 The court will dispense with the usual formal court dress for the hearing of the undefended matrimonial causes list.

#### **4. Effective Date**

4.1 This practice direction will come into effect on 8 July 2025 and will be applicable to applications filed on or after that date or the court otherwise directs.

A handwritten signature in black ink, appearing to be 'I R Winder', written in a cursive style.

Sir Ian R. Winder

Chief Justice

8 July 2025