



Royal Court of Jersey  
Family Division

PROCEDURE FOR VARIATION OF  
MAINTENANCE ORDERS MADE IN  
DIVORCE PROCEEDINGS

Judicial Greffe  
Royal Court House  
Royal Square  
St Helier  
JE1 1JG  
Tel: 01534 441300  
Fax: 01534 441399  
[www.gov.je/familycourt](http://www.gov.je/familycourt)

If you want to vary a maintenance order made in divorce proceedings and are unable to get agreement to do so, you must file a [Form 15](#), obtainable from the Judicial Greffe or from within the Divorce forms and applications section on [www.gov.je/familycourt](http://www.gov.je/familycourt).

You should refer to the date of the order you want varied and give an explanation in a line or so as to why you want the order varied.

Court fees will be payable in the form of Court receipt which can be obtained from Treasury, Customer and Local Services, La Motte Street, St Helier. The Court fees payable are shown at: [www.gov.je/familycourt](http://www.gov.je/familycourt) but your financial circumstances may be such that you are not required to pay. Further information can be obtained on request from the Viscount's Department.

You may be eligible for Legal Aid. Check with the Acting Bâtonnier (responsible for the allocation of lawyers to litigants under the Legal Aid Scheme) TEL: **0845 8001066**.

The Court will give you a date for a preliminary directions hearing. **Form 15**, once it has been processed by the Court, will be returned to you so that **YOU ARRANGE FOR IT TO BE SERVED** on your spouse/former spouse. If he or she has an advocate or a solicitor, then it is the advocate or solicitor who must be served instead.

### **The Preliminary Directions Hearing**

This takes place before the Registrar. If you have lawyers acting for you, they will attend and you don't have to. However, if you do not have lawyers acting for you, you **MUST** attend the preliminary directions hearing.

The Registrar will usually make directions as to the filing of evidence about the parties' finances, and fix a date for a Case Review hearing.

You will normally be ordered to file an affidavit of means – see [Practice Direction FD13/01](#). A link to the Family Division practice directions can be

found on the Divorce, Separation and Relationship Breakdown section on [www.gov.je/familycourt](http://www.gov.je/familycourt).

If either you or your spouse do not comply with the deadlines set by the Registrar, cost orders may be made against the person failing to do so – see [Practice Direction FD12/08](#). A link to the Family Division practice directions can be found in the Divorce, Separation and Relationship section on [www.gov.je/familycourt](http://www.gov.je/familycourt).

### **The Case Review Hearing**

All parties **AND** their lawyers **MUST** attend.

The purpose of the case review hearing, which again is held before the Registrar, is to determine whether anything can be done to sort out the dispute, and find out what outstanding areas of disagreement need to be addressed.

Sometimes, as a result of this process, agreed orders can be made. Even if there is not full agreement, there may be agreement as to certain aspects of the dispute, and interim orders may be made.

If agreement cannot be reached, the Registrar may make further orders as the filing of further evidence, and will set a date for a final hearing. The Registrar will normally order that the parties are to set out/confirm in writing what orders are being sought at a specified time before the final hearing.

### **The Final Hearing**

You and your lawyer must attend the final hearing.

Difficult or lengthy cases may be referred to the Inferior Number of the Royal Court.