Case No. (to be completed by Agency of Family Law)

Familieretshuset

Petition for legal separation

Fee: DKK 825

(To be paid on submission of the petition form, into sort code 0216 and account number 4069175392)

READ THE LEAFLET "GETTING DIVORCED" ON DIVORCE AND SEPARATION, BEFORE YOU COMPLETE THIS FORM (the leaflet is available from our website www.familieretshuset.dk or by contacting Agency of Family Law). This form must be used regardless of whether you are married or civil partners.

Details of spouse 1

Full name:		
Civil registration no:	Daytime phone no:	
Address:	Postal code:	City:
E-mail:		
Citizenship:	My yearly income before tax:	Yearly income before tax of spouse 2:

Details of spouse 2

Full name:		
Civil registration no:	Daytime phone no:	
Address:	Postal code:	City:
E-mail:		
Citizenship:	My yearly income before tax:	Yearly income before tax of spouse 1:

Details of marriage

Date of marriage:
☐ The marriage/registration was formed in Denmark ☐ The marriage/registration was formed outside Denmark

Consent?

☐ We both agree to file for separation

☐ We do not agree to file for separation

1. Spousal maintenance (NOTE - **not** child maintenance)

☐ We do not agree on this term

☐ We both agree on the following term

1.1 Obligation to pay spousal maintenance

☐ 1.1.1 No maintenance obligation

Should this term also apply to the divorce? ☐ Yes ☐ No

If box 1.1.1 is ticked, and you have taken into consideration whether the term should apply to the divorce, please proceed to section 2.

☐ 1.1.2 Spouse 1 is liable to pay maintenance

Should this term also apply to the divorce? ☐ Yes ☐ No

☐ 1.1.3 Spouse 2 is liable to pay maintenance

Should this term also apply to the divorce? ☐ Yes ☐ No

1.2 Maintenance payment period (To be completed only if both spouses agree that spouse 1 and/or spouse 2 has a maintenance obligation)

☐ We do not agree on the maintenance period

☐ We both agree that the maintenance period be indefinite

☐ We both agree that the maintenance period shall run for _____ years from the date of seperation or from _____ to _____

1.3 Maintenance amount (to be completed only when there is a maintenance obligation)

☐ The maintenance amount may be specified/amended by Agency of Family Law.
(If this box is ticked, please proceed to section 2.)
(Should you wish for the maintenance amount to be specified by Agency of Family Law, please send an application for this along with this petition. The application form for spousal maintenance is available from Agency of Family Law website www.familieretshuset.dk or by contacting Agency of Family Law.

☐ The spouses define the amount of the spousal maintenance (enclose a copy of any such agreement)

- ☐ The amount of the agreed spousal maintenance may be amended by Agency of Family Law
- ☐ The amount of the agreed spousal maintenance may be amended by court order only

2. If the home is jointly rented

(to be completed only if you cohabit in a rented property, refer to the leaflet "Getting Divorced")

☐ We do not agree on this term

☐ We both agree on the following term

Rented property address:

passes to:

☐ No one ☐ Spouse 1 ☐ Spouse 2

3. Mediation

☐ We wish mediation by a priest

4. Additional choice of negotiation of conditions/meeting (fee DKK 2,150)

Agency of Family Law will call for a meeting if one spouse requests it or if the conditions for separation or divorce have not been met.

☐ We wish to negotiate conditions

5. Free choice of meeting place

(To be completed only if both or one of you have chosen the additional negotiation of conditions)

If you have opted for the negotiation of conditions or if your case otherwise requires that you and the other party to the case attend a meeting at Agency of Family Law, you are, if in agreement, free to choose which of the nine departments of Agency of Family Law should review your case.

If you do not list any preference, the case will as a general rule be created in the department closest to your place of residence.

Below you can choose in which department you wish to attend any potential meeting:

Spouse 1:

- ☐ Copenhagen Agency of Family Law
- ☐ Nykøbing F. Agency of Family Law
- ☐ Odense Agency of Family Law
- ☐ Ringkøbing Agency of Family Law
- ☐ Ringsted Agency of Family Law
- ☐ Rønne Agency of Family Law
- ☐ Aabenraa Agency of Family Law
- ☐ Aalborg Agency of Family Law
- ☐ Aarhus Agency of Family Law

Spouse 2:

- ☐ Copenhagen Agency of Family Law
- ☐ Nykøbing F. Agency of Family Law
- ☐ Odense Agency of Family Law
- ☐ Ringkøbing Agency of Family Law
- ☐ Ringsted Agency of Family Law
- ☐ Rønne Agency of Family Law
- ☐ Aabenraa Agency of Family Law
- ☐ Aalborg Agency of Family Law
- ☐ Aarhus Agency of Family Law

6. Fee

A separation fee of DKK 825 is charged. If you have opted for negotiation of conditions, the total fee is DKK 2,975.

The fee shall be paid into sort code 0216 and account number 4069175392.

Remember to quote your civil registration number in the message text.

7. Signatures

I declare that the information I have given is true and that I understand that giving false information is a punishable offence, cf. section 163 of the Danish Criminal Code.

Signature of spouse 1:	Date:
Signature of spouse 2:	Date:

About section 163 of the Criminal Code
Pursuant to section 163 of the Criminal Code, a person who gives a false written statement for use in legal matters that concern the authorities is punishable by a fine or imprisonment of up to 4 months.

Children under the age of 18

To be completed only if there are any children of the marriage, including adopted children

Full name:	Civil registration no:
Full name:	Civil registration no:
Full name:	Civil registration no:
Full name:	Civil registration no:

If the child was born outside Denmark, please enclose documentation proving the child to be a child of the marriage (birth, name or baptismal certificate).

After a divorce you still have joint custody of the children of the marriage.

See the supporting notes for guidance on the following page.

Guidance notes

Custody
As a general rule the joint custody continues after separation and divorce.
You do not have to take any action if you both wish to continue sharing the custody.

If you both agree to discontinue joint custody after separation and divorce and you both agree on who should have the sole custody, you can register a child custody agreement with Agency of Family Law. You need to complete a specific form which is available from Agency of Family Law website www.familieretshuset.dk. It can also be obtained from Agency of Family Law.

If you do not agree on the child custody, Agency of Family Law will summon you to one or more meetings for the purpose of reaching an agreement. If agreement is not reached, Agency of Family Law can bring the case before the court on request.

Residence of the child
The parents can agree between themselves where the child should live. A child residence agreement can be enforced through the bailiff's court if the agreement explicitly provides that it can form the basis for enforcement.

If you have joint custody of the child, but do not agree about the child's residence, Agency of Family Law will summon you to one or more meetings with the purpose of reaching an agreement. If agreement is not reached, Agency of Family Law can bring the case before the court on request.

Contact
The parents can agree between themselves how contact with the child should be arranged. A contact agreement can be enforced through the bailiff's court if the agreement explicitly provides that it can form the basis for enforcement.

If the parents do not agree on contact with the child, Agency of Family Law can decide how the contact should be arranged. This also applies in cases of joint custody.

Child welfare counselling and mediation
Agency of Family Law offers to assist parents who disagree on child contact, custody and/or residence in finding a solution, e.g. through mediation or child welfare counselling. Refer to the leaflet "Med barnet i centrum", which is available from Agency of Family Law or www.familieretshuset.dk.

Child maintenance, child benefits and family allowance
Parents have an obligation to support their children until they reach the age of 18. The parents can agree between themselves how the support of the child should be arranged. Agency of Family Law can decide how this should be arranged on request.

The parent, who lives alone with the child, can apply for ordinary or extraordinary child benefits from the public authority Udbetaling Danmark.

As a general rule the family allowance is payable to the mother of the child. The father of the child can file a request with Udbetaling Danmark to receive payment of the family allowance if he meets the relevant conditions.

Request
For practical reasons, please register any agreement on change of custody if applicable or attach any request for a decision on residence, contact or child maintenance to the petition for separation or divorce if applicable.

Forms
Custody, contact and child maintenance forms are available from Agency of Family Law website www.familieretshuset.dk

Processing of personal data
Agency of Family Law handles and processes personal data electronically. The General Data Protection Regulation is therefore in effect in regards to all processing of any kind in Agency of Family Law. If you would like further information, you can visit the following page www.familieretshuset.dk/persondata