

FORM 1: PETITION

The Republic of Trinidad & Tobago
In the High Court of Justice
Divorce

Petition No.

Between

A.B.

Petitioner

And

C.B.

Respondent

The petition of *[petitioner's full name]* shows that:

1. On the *[date of marriage]* the petitioner was lawfully married to *[respondent's full name]* (hereinafter called 'the respondent') at *[place and description of ceremony of marriage]*.

2. After the said marriage the petitioner last lived and cohabited with the respondent at *[last address in Trinidad and Tobago where parties lived together]* *[or]* [The petitioner and respondent have not cohabited in Trinidad and Tobago]

Either:

(where domicile is relied on)

3. The petitioner and respondent are domiciled in Trinidad and Tobago.

or (where only respondent domiciled in Trinidad and Tobago)

3. The petitioner is domiciled in _____ and the respondent is domiciled in Trinidad and Tobago.

or (where habitual residence relied on)

3. Neither the petitioner nor the respondent is domiciled in Trinidad and Tobago but the petitioner *[(or) the respondent]* has been habitually resident in Trinidad and Tobago for the year immediately preceding the presentation of this petition in that s/he/ has resided at the following address(es) during the said period, namely -

[address] from *[date]* to *[date]*.

4. The petitioner is a *[occupation]* and now resides at *[address]* ; the respondent is a *[occupation]* and now resides at *[address]*.

5(a) There is/are *[state number of children]* of the family now living namely _____ and _____ who are over 18 years of age and *[full name]* who was born on the _____ 19 _____ *[full name]* who was born on the _____ 19 _____ and *[full name]* who was born on the _____ 19 _____.

(b) [In the case of a husband's petition To the knowledge of the petitioner] no other child has been born to the respondent during the marriage except *[full name]* who was born on the _____ 19 _____. *[or In the case of a wife's petition]* No other child now living has been born to the Petitioner during the marriage.

(c) *[full name]* and *[full name]* are over sixteen but receive [instruction at an educational establishment][undergo training for a trade, profession or occupation].

6. The petitioner alleges that *[full name]* is not a child of the family because *[full particulars]*

7. There have been no proceedings previous hereto in any court in Trinidad and Tobago with reference to the said marriage or the said child(ren) of the family or between the petitioner and respondent with reference to any property of either or both of them [except *full particulars*].

8. There are no proceedings continuing in any country outside Trinidad and Tobago which are in respect of the said marriage or are capable of affecting its validity or subsistence [except *full particulars*].

9. There has been no agreement or arrangement between the petitioner and the respondent for the support of the parties or of any child of the family [except *full particulars*].

10. [*Only in cases where 5 years separation is in fact relied on*] The petitioner proposes, if a decree nisi is granted to make the following financial provision for the respondent [*full particulars*]. [or] [The petitioner makes no proposals for financial provision for the respondent in the event of a decree nisi being granted.]

11. [*In the case of a petition for divorce*] The marriage has broken down irretrievably.

10. The respondent has [committed adultery with [*full names and address so far as are known to the petitioner*]] and the petitioner finds it intolerable to live with the respondent. [or]

The respondent has behaved in such a way that the petitioner cannot reasonably be expected to live with the respondent.

[or]

The respondent has deserted the petitioner for a continuous period of at least two years immediately preceding the presentation of this petition.

[or]

The parties to the marriage have lived apart for a continuous period of at least two years immediately preceding the presentation of this petition and the respondent consents to a decree being granted.

[or]

The parties to the marriage have lived apart for a continuous period of at least five years immediately preceding the presentation of this petition.

[or, *appropriate grounds if the petition is for nullity*]

PARTICULARS

[*Particulars of individual facts relied on but not the evidence by which they are to be proved*]

The petitioner therefore prays:

(1) That the said marriage may be dissolved [annulled] [That there be a decree of judicial separation]

(2) That the respondent [and co-respondent/ second respondent] may be ordered to pay the costs of this suit.

[Signature] Attorney at law

[Signature] Petitioner

I, [*full names*] of [*address*] make oath and say as follows [do solemnly and sincerely affirm] that the contents of this my petition are true.

[Signature]

Sworn etc.

Commissioner for affidavits

The names and addresses of the persons who are to be served with this petition are:

The petitioner's address for service is [*Must be an address within three (3) miles of the Court Office*]:

Dated