

Divorce in Jersey: How to steady your finances (and yourself)

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Practical steps, emotional realities and why trusted advice can make a difference

Divorce in Jersey can turn everyday money decisions into high-stakes choices: who stays in the home, what happens to savings and pensions, how to split bills while you run two households, and how to keep life stable for children. In the middle of it all, many people describe the same feeling – being emotionally drained while also expected to make clear-headed, long-term financial decisions for themselves and their family.

What is needed is to slow things down and create clarity. A simple cashflow plan – mapping income, outgoings and the impact of any settlement payments over time – helps you understand what you can afford now, what may become tight later, and which decisions are genuinely urgent versus those that can wait. That clarity often reduces anxiety and improves the quality of the choices you make.

Start with clarity: cashflow

When you can see your numbers on one page visually, you can then test the big questions – whether you can keep the family home, what a realistic monthly budget looks like, and how long savings would last if costs rise or income drops. It also helps you spot ‘silent’ expenses that often appear during separation, such as duplicated utilities, additional childcare, legal fees and the costs of setting up a new home.

Financial planning is not just about spreadsheets – it’s about helping you feel steady enough to act. When stress is high, it is harder to absorb information, properly weigh risks and think for the long term. A clear plan provides structure at a time when everything else may feel uncertain.

Understanding the financial implications of divorce in Jersey

It is important to keep in mind what the ultimate legal position is when considering any financial planning following a divorce. This is the framework against which you can make informed decisions about what may happen if you have to go to court.

In divorce proceedings in Jersey, the court's role in financial remedy proceedings (should it not be possible to reach an out of court settlement) is to divide assets to provide financial support for the divorcing parties and children after a marriage breaks down.

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In doing so, the court has a very broad jurisdiction to achieve a result that it regards as 'just'. The court has to have regard to:

- all the circumstances of the case;
- the financial resources of the parties;
- the financial needs of the parties;
- earning capacity;
- any financial obligations and responsibilities;
- standards of living;
- the conduct of the parties;
- the terms of any subsisting pre-nuptial or post-nuptial agreement or trust;
- the parties' age;
- the duration of their marriage;
- any disability;
- contributions to the matrimonial assets or welfare of the family; and
- the needs and welfare of the children of the family.

The parties are required to provide the court (and each other) with a full and detailed breakdown of their assets, income and other financial resources (e.g. trusts) as well as their current and expected expenditure. If there is material non-disclosure, this may be grounds to reopen any award.

The court can award interim and final orders for maintenance (i.e. regular financial payments made by one ex-spouse to the other) between divorcing parties. Jersey Court has a duty to consider the desirability of a 'clean break' (i.e. ongoing financial independence) between the parties.

It is not the court's role to attribute 'fault' in the termination of the marriage and make financial provision accordingly in favour of the 'wronged' party. It is not the court's role to 'punish' one party over another. This is often hard to digest. Divorce is emotionally difficult and emotions run high. When thinking about your finances it is important to try to look on this objectively, whilst the Court looks to divide assets on a fair basis this is solely in relation to financial needs rather than moral conduct.

The court uses the 'yardstick of equality' as its starting point, taking into account fairness and the factors set out above. This is the principle of an equal sharing of assets acquired during the course of the marriage or used and/or seen as matrimonial assets.

The welfare of any children of the marriage is of primary importance as far as the Jersey Courts are concerned. Their needs will have an impact on the division of assets upon divorce.

Assets which are owned prior to the marriage, or acquired by only one party during the marriage and/or after marriage but prior to a financial order, are often called 'non-matrimonial assets.' This description is not to say

they are to be excluded from the matrimonial asset 'pot', that are capable of being shared on divorce. Essentially any asset of the marriage is potentially a 'matrimonial asset' and capable of division by the court.

The question is whether the 'non-matrimonial asset' is to be ring-fenced and treated separately to other marital assets. Factors which will be taken into account include:

- when and how the asset was/is acquired;
- the intention of the party who has provided the asset;
- the purpose of the asset (where appropriate);
- whether the asset has been used by the parties as a joint asset or kept separate and apart from other marital assets.

Under current Jersey law, the court has no power to divide pension funds on a divorce and so this will have to be factored into any division of other assets. This position will change under new Jersey legislation yet to be brought into force.

The court also has broad power to review and make adjustments to account for any transaction intended to prevent or reduce the size of any payment due to a party under the court's powers to divide or allocate assets.

Jersey divorces and the emotional realities

Even when the decision is right, divorce can feel like a bereavement. People often move through recognisable emotional stages – and they rarely happen in a neat order. A legal letter, a looming court date, selling a home or finalising children's arrangements can pull you back into an earlier stage. In Jersey, there can be an added strain: it's a small island, and lives and social circles overlap. You may run into your ex-partner in the supermarket, at the school gate or at the beach, and it can feel as though news travels quickly – sometimes through friends who know both sides. That constant sense of visibility can make it harder to find emotional breathing space, and it can heighten the pressure to 'keep it together' while you're still processing what's happening.

That is why practical structure and trusted support matter: they give you somewhere steady to return to when everything feels exposed or changeable.

Why trusted financial advice matters during divorce in Jersey

This is where a financial planner you trust can add real value. As you move through shock, anger, sadness and (eventually) rebuilding, your tolerance for risk, paperwork and big decisions can change from week to week. A supportive adviser can keep the plan consistent, explain your options in plain English and help you avoid the consequences of decisions taken in the heat of the moment.

For some people, separation may also be the first time they have had to manage the household finances on their own. In that situation, good advice is as much about confidence and capability as it is about the technical

plan. Practical support might include:

- **Create clarity:** pull together accounts, income, spending and settlement assumptions so you can see your position clearly.
- **Provide structure:** break decisions into manageable steps and timelines that align with key legal milestones.
- **Model ‘what if?’ scenarios:** test potential settlement outcomes, housing options and budget changes before you commit.
- **Support better decisions:** act as a steady sounding board, reducing the risk of emotionally driven financial choices.
- **Help you take control:** set up budgets, savings and protection, and build the skills to manage confidently going forward.

The main goal is simple: get clear on the numbers, give yourself permission to feel what you feel, and put trusted support around you. If you are thinking about or starting upon a separation, consider gathering key documents (bank statements, mortgage details, pension information and insurance policies) and speaking to a professional who can help you map the next 6 – 12 months. A calmer plan won't remove the emotion – but it can help you protect your future while you move through it.

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