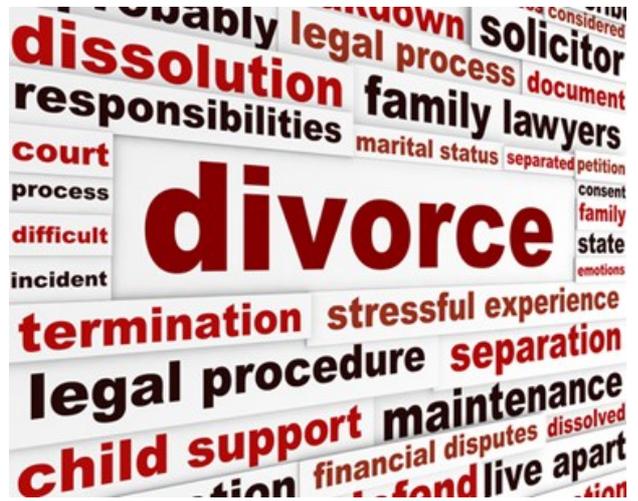




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LawTalk Blog



What happens when a short marriage breaks down?

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Sadly, we see a number of cases where marriages break down after a very short period. Sometimes the marriage only lasts for a year or so, occasionally only a few months and we have even seen marriages that have lasted a matter of days or weeks.

In these situations we are often asked by a party whether or not they can get their marriage annulled. Being married for a short period is not a reason to obtain an [annulment](#); so they must still go through the [divorce](#) process.

There are additional requirements for people seeking a divorce within two years of the date of marriage. An Application for Divorce cannot be filed within two years from the date of marriage unless it is filed with a certificate stating the parties have attended a family counsellor and have considered reconciliation.

Even in short marriages the parties can still make an application for an alteration of property interests (a [property settlement](#)). In such relationships, particularly where there are no children, there is a closer examination of the parties' relevant financial contributions.

That often results in the parties being more likely to get out of the marriage what they have financially put in. This must always be balanced with relevant Section 75(2) factors, commonly referred to as future factors or future needs.

As usual it is important to obtain expert advice in respect to these matters even in very short marriages.

Please note, this Blog is posted in Adelaide, South Australia by Andersons Solicitors. It relates to Australian Federal legislation. Andersons Solicitors is a medium sized law firm servicing metropolitan Adelaide and regional South Australia across all areas of law for individuals and businesses.