

# Getting divorced in Thailand

Contributed by Administrator

In this day and age of fast lifestyles and new priorities, the rise in divorce cases has increased significantly. The divorce rate in Thailand has grown in the past decade, which is probably related to the decrease of marriages in the country as well. Most of the divorce cases filed in Thailand come from a marriage between a Thai lady and a foreigner. Applying for a divorce in Thailand can be a complicated process, most especially for the foreigner who does not understand the Thai language—since the proceedings and supporting documents are all in Thai. Apart from this, it can also be very cumbersome to handle the disputes concerning the separation of assets, debts and liabilities, and addressing the issues of child custody and spouse maintenance after the divorce. Therefore, it is recommended to retain the services of a reputable Thai law firm to handle your divorce proceedings to save you time, effort, and money going through this process.

## GROUNDS FOR DIVORCE

Thai law has several provisions on the grounds for divorce. You may file for a divorce if your marriage has undergone any of the following circumstances:

1. a 3-year period of separation from your spouse
2. your spouse has deserted you for over one year
3. your spouse has taken another person as a spouse
4. your wife has committed adultery
5. your spouse is guilty of misconduct (criminal or otherwise)
6. your spouse has physically or mentally harmed you
7. you can prove a lack of maintenance and support during the marriage
8. your spouse has had incurable insanity for at least 3 years
9. your spouse has broken the bond of good behavior
10. your spouse has an incurable, communicable and dangerous disease
11. your spouse has a physical disadvantage which makes living together as husband and wife impossible.

**THE DIVORCE PROCESS** If your marriage has been registered under Thai law, then divorce is permitted in two categories. One is divorce by mutual consent, which is possible only if it is uncontested, meaning you have no disputes over property or custody.

But if you have disagreements and one party may not be in Thailand at the moment, then you must proceed to the courts to file for the divorce for cause. However, both parties must be in Thailand during the set court date for the case. The divorce process in Thailand usually takes around a year and all documents concerning the matter are translated into Thai. Once the divorce is granted, divorce certificates can be obtained from the district office where the divorce was filed.

**SUMMARY** Going through a divorce in Thailand can be a very stressful phase, with its emotional and financial issues. It is best to educate yourself before pursuing the decision to file for the divorce. Engaging the services of a Thai law firm can help you obtain sound legal guidance regarding this matter, and thus helping you avoid the devastating disputes which may arise.