

25 September 2017

**Statistics on annulments, separations and divorces**  
Year 2016

**In 2016 there were 96,824 divorces, 0.3% more than in the previous year**

**Shared custody of children was granted in 28.3% of the divorce and separation cases**

During 2016, there was a total of 101,294 cases of annulment, separation and divorce, which meant a rate of 2.2 per 1,000 inhabitants.

The total number of cases in 2016 showed a decrease of 0.1% with respect to the previous year. The number of divorces increased by 0.3%, while the number of separations decreased by 6.4% and annulments by 18.8%.

By type of resolution, 67,944 cases were settled by judgment, 26,998 by decree, and 6,352 by public deed.

By type of process, there were 96,824 divorces, 4,353 separations and 117 annulments. Divorces accounted for 95.6% of the total, separations 4.3% and annulments the remaining 0.1%.

### **Divorces and separations by class**

76.6% of divorces in 2016 were by mutual agreement, while the remaining 23.4% were contentious. In the case of separations, 85.1% were by mutual agreement and 14.9% contentious.

### **Duration of Marriages**

The average duration of marriages, up to the date of the resolution<sup>1</sup>, was 16.3 years, slightly higher than in 2015.

Marriages ending in divorce had an average duration of 16.1 years, while that of separated marriages was 21.6 years. Meanwhile, the average time elapsed between marriage and the declaration of annulment was 7.7 years.

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<sup>1</sup> The type of resolution can be by sentence, decree, or public deed, which are issued, respectively, by judges, lawyers of the administration of justice, or notaries.

31.6% of divorces occurred after 20 years of marriage or more, and 22.2% between five and nine years.

In the case of separations, 49.2% of marriages lasted 20 years or more, and 14.8% between 15 and 19 years.

### Duration of proceedings

75.1% of divorces were resolved in less than six months (compared to 75.3% in 2015). Conversely, in 8.1% of cases, the duration was one year or more (7.7% in 2015).

83.5% of separations were resolved in less than six months (compared to 85.3% in 2015), while 4.8% took a year or more (3.8% in 2015).

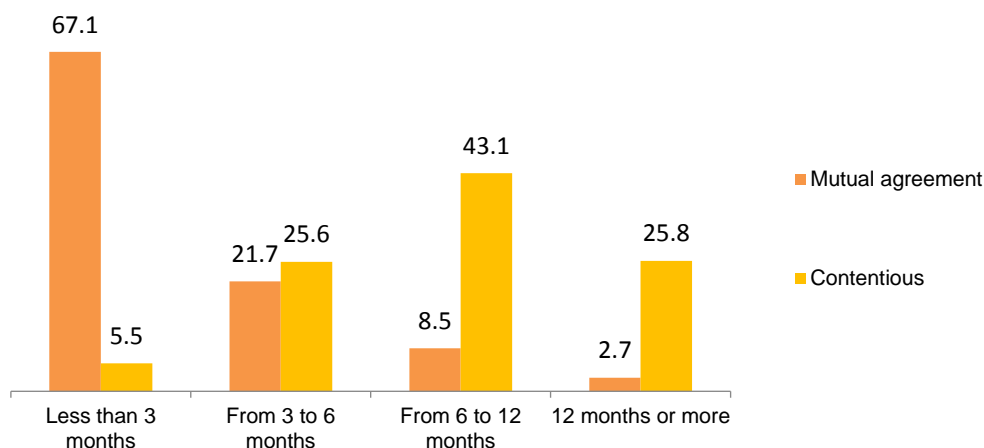
The average duration of procedures was 4.7 months in 2016, slightly higher than the previous year, which was 4.6 months. For separations, average duration (3.7 months) was lower than divorces (4.7 months).

According to the typology of divorce and separation proceedings, the average duration of the mutual agreement was shown at 3.1 months, while the contentious reached 9.9 months.

67.1% of the mutually agreed procedures were resolved in less than three months and 21.7% in a time frame of three to five months.

In contrast, 43.1% of the contentious proceedings were resolved in a time of between six and 11 months, and 25.8% in 12 or more months.

### Contested and mutual agreement proceedings (divorces and separations) by duration. (%). Year 2016



### Average age, marital status and nationality of the spouses

The highest number of divorces and separations in 2016, between different-sex spouses, took place in the 40 to 49 years old age bracket, for both men and women.

The **average age of women was 44.4 years** (44.2 years for divorces, 48.6 for separations and 40.9 for annulments). For **men, the average age was 46.8 years** (46.7 years for divorces, 51.2 for separations and 42.0 for annulments). These average ages were similar to those recorded in 2015.

84.2% of all divorces registered in 2016 took place between spouses of Spanish nationality. In 10.0% one of the spouses was foreigner and in 5.8% both spouses were foreigners.

Given the marital status of the spouses when they married, most were single. In the case of males, 7.1% were divorced and 0.4% widowed. Among women, 7.7% were divorced and 0.5% were widows.

### Number of children, pensions and custody

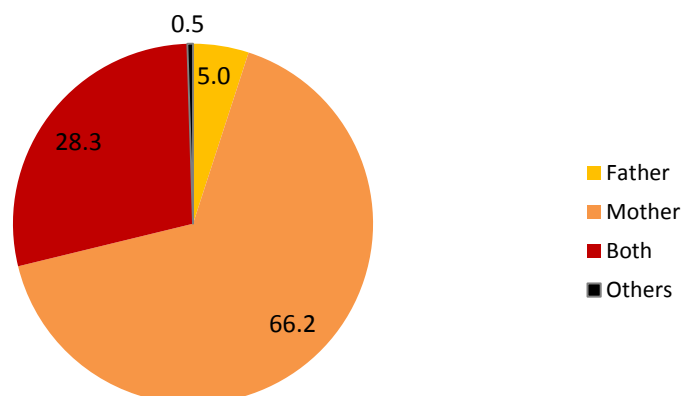
43.0% of the marriages corresponding to the resolutions of separation or divorce had no children (minors or older dependents). This percentage was similar to that of the previous year.

47.2% had only minor children, 4.6% were economically dependent children, and 5.2% were under age children and dependent adults. 26.3% had only one child (minor or old dependent).

**In 57.6% of cases (spouses of different sex), an alimony was allocated**, a figure similar to that of the previous year (57.5%). In 72.7%, the payment of alimony was paid to the father (75.9% in 2015), 4.8% to the mother (4.5% in the previous year) and 22.5% to both spouses (19.6% in 2015).

The custody of minors was granted to the mother in 66.2% of the cases, a lower figure than that observed in the previous year (69.9%). In the 5.0% of the processes, custody was obtained by the father (compared to 5.1% in 2015), 28.3% was shared (24.7% in the previous year) and 0.5% was given to other institutions or family members.

### Total separations and divorces (different sex spouses) by who obtain custody. (%). Year 2016



A compensatory pension was set at 9.4% of separations and divorces. In 91.4% of them, the payment of this was assigned to the husband.

Regarding the filing of the complaints, 64.6% of the cases were filed by both spouses, 22.9% by the wife and 12.6% by the husband.

### Results according to Autonomous Communities and Autonomous Cities

The rate of annulments, separations and divorces per 1,000 inhabitants in Spain was 2.2 in 2016.

The Autonomous City of Ceuta (2.7) recorded the highest rate per 1,000 inhabitants, Conversely, Castilla y León and Extremadura (1,7) presented the lowest rates.

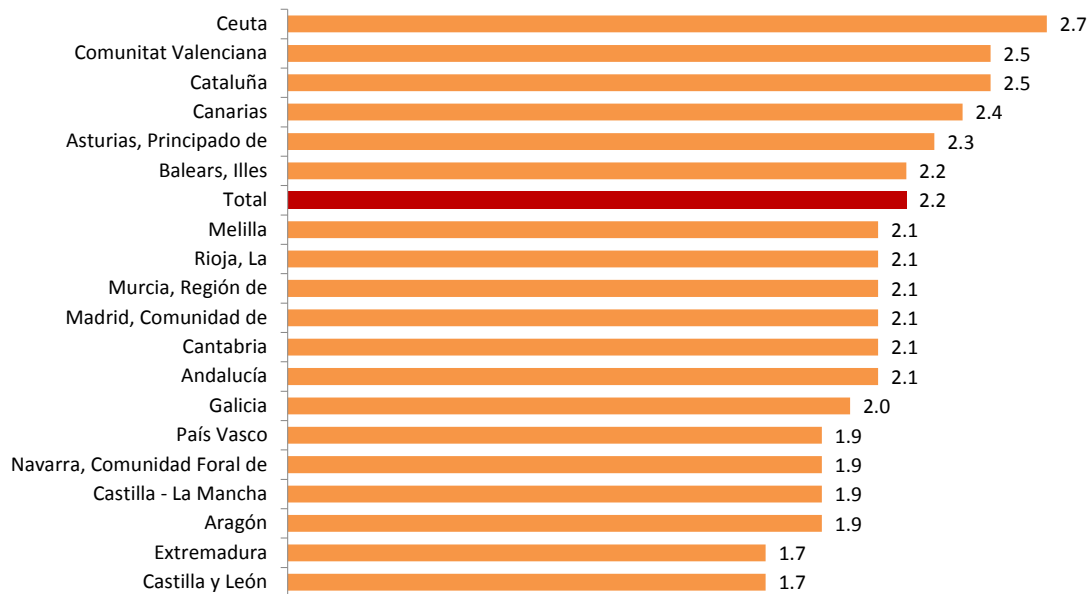
It should be noted that the attribution of annulments, separations and divorces to a specific Autonomous Community has been made based on the location of the judicial body that dictates the resolution and not the place of residence or birth of the spouses.

### Annulments, separations and divorces by Autonomous Communities and Autonomous Cities

Absolute figures  
Year 2016

	Total	Annulments	Separations	Divorces
Total	101,294	117	4,353	96,824
Cataluña	18,632	66	634	17,931
Andalucía	17,885	14	903	16,969
Madrid, Comunidad de	13,809	12	618	13,179
Comunitat Valenciana	12,464	11	549	11,904
Galicia	5,526	0	189	5,337
Canarias	5,155	0	180	4,975
Castilla y León	4,104	1	181	3,921
País Vasco	4,007	0	144	3,863
Castilla - La Mancha	3,804	3	167	3,634
Murcia, Región de	3,057	0	117	2,940
Balears, Illes	2,539	2	154	2,383
Aragón	2,487	3	96	2,389
Asturias, Principado de	2,408	3	140	2,265
Extremadura	1,891	1	103	1,787
Cantabria	1,231	0	57	1,174
Navarra, Comunidad Foral de	1,222	0	65	1,157
Rioja, La	662	1	31	629
Ceuta	233	0	18	215
Melilla	177	0	6	170

**Rates of annulments, separations, and divorces by Autonomous Community.  
Rate by 1.000 inhabitants. Year. 2016**



## Methodological note

The Statistics of Annulments, Separations and Divorces is an annual statistical research directed to the study of the processes of annulment, separation or divorce that arise in the judicial area, which were processed from the information on judgments provided by the competent judicial. According to Law 15/2015, of July 2, of the Voluntary Jurisdiction, from 2015 it also considers the dissolution of marriage processes processed by means of decrees and public deeds by the Lawyers in the Administration of Justice (previously Judicial Secretaries) and Notaries. The statistics cover the entire national territory.

The objective of these statistics are to understand the number of judgments, decrees and public deeds on annulments, separations and divorces, dictated during the reference year.

It provides information on some of the main sociodemographic characteristics of the spouses involved (gender, age, nationality, number of children), type of separation or divorce (mutual agreement or contentious) and other variables of social interest associated with the process (maintenance, custody, length of procedure, etc.).

The Statistics of Annulments, Separations and Divorces is carried out by the National Statistical Institute (NSI) under the agreement signed with the General Council of the Judiciary (GCJ) dated February 14, 1995.

Since 2007, a system of continuous collection of statistical bulletins through web forms has been implemented through the Neutral Judicial Point platform, a network of services that the GCJ makes available to its users on its website.

The dissemination of the results has an annual periodicity. Information is offered at national, regional and provincial level.

It should be noted that as a consequence of the availability of new sources of judicial information, a methodological improvement was introduced in 2013 in the process of these statistics, which has enabled a more accurate estimate of the number of judgments. In addition, from the year 2015 information has been obtained from the General Council of Notaries for the preparation of these statistics.