**In the Family Court Case no. [*Case number*]**



**sitting at [*Court name*]**

**The Children Act 1989**

**The Adoption and Children Act 2002**

**The child[ren]**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

**CASE MANAGEMENT ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*]**

**CMO NO [*NUMBER*] AT TIMETABLE WEEK NO. [*NUMBER*]**

**The parties and representation at this hearing**

1. The applicant is[*name of local authority*], represented by [*barrister/solicitor name*] [instructed by [*solicitor firm name*]] whose contact details are [*chambers/firm name*], [*phone number*], [*email*]

The first respondent is [*name*], the [*relationship to child*], [in person], represented by [*barrister/solicitor name*] [instructed by [*solicitor firm name*]] whose contact details are [*chambers/firm name*], [*phone number*], [*email*]

The second respondent is [*name*], the [*relationship to child*], [in person], represented by [*barrister/solicitor name*] [instructed by [*solicitor firm name*]] whose contact details are [*chambers/firm name*], [*phone number*], [*email*]

The third respondent[s] [is] / [are] the child[ren] (by their children’s guardian [*guardian name*], represented by [*barrister/solicitor name*] [instructed by [*solicitor firm name*]] whose contact details are [*chambers/firm name*], [*phone number*], [*email*]

The intervener is [*name*], the [*relationship to child*], [in person], represented by [*barrister/solicitor name*] [instructed by [*solicitor firm name*]] whose contact details are [*chambers/firm name*], [*phone number*], [*email*]

**IMPORTANT NOTICES**

**(note: the second and third warnings may appear at the start of the order, as shown here, or at the end)**

**The names of the parties and the child[ren] are not to be disclosed in public without the permission of the court.**

**ALL PARTIES MUST IMMEDIATELY INFORM THE ALLOCATED JUDGE AS SOON AS THEY BECOME AWARE THAT ANY DIRECTION GIVEN BY THE COURT CANNOT BE COMPLIED WITH AND TO SEEK IN ADVANCE AN EXTENSION OF TIME TO COMPLY.**

**IN THE EVENT THAT A PARTY FAILS TO COMPLY WITH DIRECTIONS AND/OR FAILS TO ATTEND ANY HEARING WITHOUT GOOD REASON THE COURT MAY MAKE FINAL ORDERS INCLUDING CARE ORDERS AND PLACEMENT ORDERS AT THAT HEARING.**

**THE COURT ORDERS**

**Jurisdiction**

1. The court declares it is satisfied it has jurisdiction in relation to the child[ren] based on habitual residence.
2. Although the child[ren] [is] / [are] not habitually resident in the UK the court declares itself satisfied that it has power to deal with this case by exercising its interim protective powers under Article 20 of Council Regulation (EC) No 2201/2013 (Brussels II Revised) and/or under Article 11 of the Hague Convention on the Protection of Children 1996.
3. There being an issue as to jurisdiction (including the application of Council Regulation (EC) No 2201/2003 (Brussel II Revised)) which must be considered by the parties urgently, the local authority shall forthwith liaise with the relevant consular authority in England & Wales or other competent authority in the relevant state in relation to the proceedings or request the central authority of that state for such information as may be relevant to decide the issue of jurisdiction.

**Immigration information**

1. The courts requests the Home Office to provide the information set out in Form EX660 annexed by no later than [*date*]. The court shall forthwith submit the EX660 to the Home Office online. Once received, the information shall be forwarded by the court to all parties.

**Adjournment of this hearing**

1. This hearing is adjourned until [*date*] at [*court*] allowing [*hours*] because [*insert reasons*].

**Interim care/supervision orders**

1. In the interim the child[ren] [is] / [are] placed [in the care] / [under the supervision] of [*name of local authority*] for the duration of these proceedings or until further order.

**Other interim orders**

1. Until further order, a child arrangements order is made in respect of the child[ren] as follows:
2. [*Name*] shall live with [*name*].
3. [*Name*] shall spend time or have contact with [*name*] as follows: [*insert details*] [which contact shall be supervised by [*name*].]
4. [*Name*] shall have indirect contact with [*name*] as follows [*insert details*].
5. Until further order the local authority are authorised to refuse to allow contact between [*name*] and [*name*].



**Exclusion requirement - section 38A Children Act 1989**

1. The court being satisfied that the conditions in section 38A(2) of the Children Act 1989 are met, the interim care order shall include an exclusion requirement in the following terms:
2. [*Name*] must by [*date*] leave [*address* **(the dwelling-house in which s/he is living with the child(ren)**];
3. [*Name*] must not enter or return to [*address* **(the dwelling-house where the child(ren) live(s) or a defined area in which it is situated)**].
4. The exclusion requirement shall [last as long as the interim care order] / [remain in force until [*date*]].
5. A power of arrest is attached to the exclusion requirement [which shall remain in force until [*date*]].
6. The local authority must send this order to the Domestic Violence Unit of [*Area*] Police with confirmation of the date and time that it has been served.
7. As this order has been made without notice to [*name*] or at a hearing which [he] / [she] has not attended the name[s] of [*name(s)*] and the making of this order [shall be] / [have been] announced in open court [at the earliest opportunity]. Further, the court will consider at a hearing on [*date*] whether the order should be varied or discharged.

**Outstanding local authority disclosure**

1. The local authority shall by 4.00pm on [*date*] send to the parties [and to the court] [*insert details*].

**Parentage/parental responsibility**

1. It is declared that [*name*] is [not] the father of [*name*] [male] / [female], born on [*date*]. The Court shall send a copy of this order to the Registrar General within 21 days.
2. Parental responsibility is granted to [*name*] in respect of [*name*].

**Joinder of parties/interveners**

1. [*Name(s)*] [is] / [are] joined as party to the proceedings [limited for the following purposes: [*insert*]].

The local authority must by 4.00pm on [*date*] provide [*name*] with a bundle of the documents in the case to date [excluding [*insert*]] [redacted as to [*insert*]].

The local authority shall by [*date*] write to [*name*] advising them:

1. that they have been identified as a potential intervener and why;
2. the date and time of the hearing when they should attend and when the court will consider whether they should be invited to be joined as an intervener;
3. the date(s) of any relevant hearing listed;
4. that they should seek legal advice.

1. The local authority shall by 4.00pm on [*date*] notify the Police and the CPS:

1. that consideration will be given at the hearing on [*date*] to disclosure of case papers to the [proposed] intervener(s); and
2. that they may attend that hearing to make any representations as to disclosure, alternatively that they may make written representations no later than 3 working days before that hearing.
3. [*Name*] is joined as an intervener for the following purposes: [*insert*]
4. The local authority must by 4.00pm on [*date*] provide the intervener with the following documents: [*insert*] [redacted as to [*insert*]].

**Litigation capacity/cognitive assessment**

1. [*Name*] must by 4.00pm on [*date*] send to the court a report (a cognitive assessment) by a [general practitioner] / [treating consultant] / [psychiatrist] / [psychologist] / [adult social services] / [*insert other*] dealing with the question whether [*name*] has litigation capacity within the meaning of sections 2 and 3 of the Mental Capacity Act 2005 [and is competent to give evidence].
2. If [*name*] is assessed as having litigation capacity, the cognitive assessment shall also consider whether [*name*] is a vulnerable person and, if so:
3. how their evidence in chief should be given;
4. whether and how they should be questioned (cross-examined) including the length of questioning and the need for, and frequency of, any breaks;
5. what support should be made available;
6. whether separate waiting or other facilities are needed;
7. whether their evidence should be given remotely.
8. There will be a hearing at [*court*] on [*date*] to assess [*name*]’s capacity to litigate. If on receipt of the capacity evidence [*name*]’s solicitor confirms (a) that [*name*] does not assert that [he] / [she] has capacity and (b) that there is no other person proposed to act as litigation friend, the following directions will be given without a hearing and the capacity assessment hearing will be vacated.
9. The court deciding that [*name*] is a protected party:

1. [*Name*] is appointed as [his] / [her] litigation friend;

**(or)**

1. and that there is no other person suitable and willing to act as [his] / [her] litigation friend (so that the appointment of the Official Solicitor is the last resort), and [he] / [she] being publicly funded, subject to his consent the Official Solicitor is appointed as litigation friend of [*name*].
2. [The solicitors for] [*name*] must by [*date*] complete and forward to the Official Solicitor the Official Solicitor’s referral form for Children Act public law cases (available at [https://www.gov.uk/government/publications/official-solicitor-referral-form-for-children-act-public-law-proceedings](https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fofficial-solicitor-referral-form-for-children-act-public-law-proceedings&data=02%7C01%7CHHJ.Martin.Dancey%40ejudiciary.net%7C476723b142bc40f3066508d568e11a74%7C723e45572f1743ed9e71f1beb253e546%7C1%7C0%7C636530238386813454&sdata=XXPlHqtvIqTfdPp6FhcQWnY8wFsJBVxWFYmBrY%2BeOak%3D&reserved=0)) together with the documents identified in the referral form to be sent by e mail or post/DX as specified.
3. As [*name*] is not publicly funded:
4. All parties shall co-operate with, and respond promptly to, any request made by the Official Solicitor for information/documents for the purpose of establishing the protected party’s eligibility for legal aid or, if the protected party is ineligible for legal aid, how their legal costs may otherwise be paid.
5. In the event that any party is aware that the protected party has an attorney under a lasting or enduring power of attorney, or a financial deputy appointed by the Court of Protection, or an appointee for state benefits, that party shall provide the Official Solicitor with the identity and contact details of that person.
6. The Official Solicitor may apply in writing to the case management judge for any further directions which may assist in securing the protected party’s legal costs.
7. If the local authority issue any application for a placement order the [mother’s] / [father’s] / [parents’] representatives shall consider whether the evidence of litigation capacity obtained in the care proceedings remains sufficient for the placement proceedings and if so shall asked the court so to confirm with a view to inviting the Official Solicitor to act also in the placement proceedings.

**Participation directions/Ground rules**

1. The court considering that the participation of [*name*] in the proceedings requires that participation directions be given, the following directions apply:
2. [*Name*] shall attend the hearing by way of live link and the following arrangements shall be made: [*insert arrangements*]
3. The proceedings shall be transferred to the Family Court sitting at [*place*] for the next hearing [and all future hearings]
4. [The next hearing] / [All future hearings] shall be held at [*court*]
5. The court shall ensure that separate [entrance and] waiting arrangements shall be made available for [*name*].
6. [*Name*] shall have the assistance of an intermediary at all future hearings to be arranged by [his] / [her] solicitors sending a booking form to HMCTS who shall make the booking and pay for the attendance of the intermediary.
7. Ground rules for the [fact-finding] / [final] hearing] will be considered at [the FCMH] / [a separate hearing on [*date*]].
8. [*Name*] shall undertake an assessment of [*name*]’s needs to ensure they can participate fully at any hearing and shall provide a [written] / [oral] report at the ground rules hearing with a view to participation directions being given. The cost of such report shall be paid by HMCTS.
9. The evidence of [*name*] at the [fact-finding] / [final] hearing shall be given:
10. by live link;
11. by a recording made [and transcribed] in advance of the hearing;
12. with assistance of an intermediary;
13. with the assistance of a [signer] / [*details of other communications assistant*];
14. by use of evidence already given in other proceedings, namely [*insert*];
15. [*insert other*].
16. The following directions apply to the cross-examination of [*name*]:
17. any questions that [can be] / [have been] put by one advocate may not be repeated by another without permission of the court;
18. questions or topics must be agreed prior to the hearing;
19. questions may be put by [one advocate] / [the judge] only;
20. [example] questions [from each topic to be put] must be provided in writing in advance of the hearing so that [the intermediary can consider whether they will be understood by the witness] / [they can be put by the judge];
21. [*insert*].
22. [*Insert other participation directions*]
23. The participation directions given on [*date*] are [revoked] / [varied] as follows: [*insert*] because [*give reasons*].

**Child[ren] giving evidence**

1. There shall be a hearing on [*date*] to consider whether the child[ren] should give oral evidence. In preparation for that hearing:
2. [*Name*] shall by [*date*] make available any ABE interview of the child[ren] to be viewed by the judge and all parties;
3. **(where there is a pending criminal investigation or prosecution)** [*name*] shall give notice to the [police] / [CPS] that a decision will be made at the hearing whether the child[ren] should give evidence in these proceedings and that they may either send written representations or attend the hearing to express any views they have;
4. the child[ren]’s guardian [[*name*]] shall by [*date*] send to the court and to the parties a report dealing with the following issues in relation to the question whether the child[ren] should give oral evidence:
   1. the child[ren]’s wishes and feelings, in particular the child[ren]’s willingness to give evidence;
   2. the child[ren]’s particular needs and abilities;
   3. the maturity, vulnerability and understanding, capacity and competence of the child[ren];
   4. the support or lack of support the child[ren] has/have;
   5. any harm that may be caused to the child[ren] by giving, or by not being allowed to give, oral evidence;
   6. the views of the guardian having discussed the issue with the child[ren].
   7. the parties shall by [*date*] send to the court and to the other parties written submissions dealing with the matters set out in paragraphs 9, 12 and 14 of the Family Justice Council Guidelines in relation to Children Giving Evidence in Family Proceedings December 2011[a copy of which will be provided by the local authority to any unrepresented party].
5. The child[ren] shall [not] give evidence at the hearing on [*date*].
6. There shall be a ground rules hearing at [*court*] on [*date*] [which the parents and any other family members shall not attend] to consider the following matters:
7. whether the child[ren] should give evidence in chief and if so how, in particular whether the child[ren]’s evidence should be pre-recorded or given by live link;
8. the need for and use of an intermediary or other communications specialist or other support for the child[ren] giving evidence;
9. whether, by whom and how the child[ren] [is] / [are] to be cross-examined including:
   1. the format of questions and whether they should be submitted for judicial or intermediary approval in advance;
   2. any specific questions or topics to be covered;
   3. length of questioning and the need for breaks;
10. what if any papers should be disclosed to the child[ren];
11. arrangements for:
    1. the child[ren] to see their ABE interview;
    2. a familiarisation visit by the child[ren] before the hearing;
    3. access and waiting facilities at court for the child[ren] and their [security] / [privacy].

**Parents’ initial statement/response to threshold**

1. The [mother] / [father] / [parents] must by 4.00pm on [*date*] send to the court and to the other parties a statement setting out:
2. a response to threshold;
3. a response to the local authority evidence to date;
4. proposals for the long-term care of the child[ren], including the names and contact details of alternative carers proposed by the parent;
5. any other matters relevant to the issues before the court and the welfare of the child[ren].
6. The parents having failed to comply with the direction given on allocation requiring them to provide a response to threshold, if the parents fail to comply with this direction they shall be taken as accepting threshold criteria as set out by the local authority**.**

**Alternative carer assessments**

1. The local authority shall, by 12.00 noon on [*date*] send to the court and to the other parties viability assessments of the following
   1. [*insert*]
2. In the event that the viability assessment[s] [is] / [are] positive the following directions shall apply;

the local authority will fund a one off session of legal advice (at legal aid rates) for one potential carer (or joint carers) for consideration of the legal basis upon which they seek to care for the child[ren] (for example as foster carers or special guardians), and

the local authority shall by [*date*] send full assessments (special guardianship, kinship or otherwise) to the court and to the other parties.

1. In the event that the viability or full assessments are negative the local authority shall forthwith on completion of the assessment write to the person assessed with a copy of the assessment and explaining that in the event that the person challenges the assessment they must;
2. seek legal advice as soon as possible.
3. inform the local authority in writing within 7 days, and
4. attend the next court hearing which is to be specified in the letter, and

take [*insert details*]

**(see special guardianships directions below relating to redaction of sensitive/confidential material from report before disclosure to parties)**

**Family Group Conference**

1. The local authority shall forthwith convene a family group conference (FGC) and shall by 4.00pm on [*date*]:
2. confirm the date the FGC is to be held;
3. if it is not proposed to hold a FGC, explain why not.

The local authority may disclose the case papers to the FGC Co-ordinator to prepare a report for a FGC, which report may be disclosed to all members of the FGC.

The local authority shall within 14 days after the FGC is held send minutes of the FGC to the court and to the other parties.

**Contact records**

1. The local authority shall provide to the other parties paginated contact records on a rolling basis. Contact records are not to be included in the court bundle unless specifically requested by a party at an advocates’ meeting, in which event the parties shall try to agree a schedule of missed contacts and statement as to the quality of contact as represented by the contact records rather than including the full records.

**Medical records**

1. The solicitor[s] for [*name*] shall by 4.00pm on [*date*] obtain and disclose to [*name*] a paginated copy of their medical (GP, mental health and hospital) records. The cost of such disclosure shall be a proper and necessary charge on their public funding certificate.
2. The [*hospital name*] Access to Records Team shall by 4.00pm on [*date*] disclose to the local authority all medical records they hold in respect of the child[ren] [*name(s)*] born on [*date*] including but not limited to:
3. notes
4. photographs
5. bodymaps
6. X-rays
7. reports
8. antenatal records.
9. The Access to Records Team may apply to set aside this order on 48 hours’ written notice to the court and to the parties.
10. The records shall not be included in the court bundle unless requested by a party, in which case the parties shall try to agree any relevant entries to be included in the court bundle to avoid the need for the full records being included.
11. In the event of non-compliance, any party may request the issue of a witness summons to secure the attendance of a person to bring the medical records to court. Any such request should be made as soon as practicable and accompanied by a letter asking the court to treat the request as urgent and to be expedited.

**Disclosure of other proceedings**

1. The local authority shall give 7 days’ notice to any party in proceedings under case number [*case no.*] in the Family Court at [*place*] (who is not also party in these proceedings) of their intention to apply for disclosure of those proceedings into the current proceedings and telling them that if they object to such disclosure they must write to the local authority within 7 days of service of notice.
2. The local authority shall annex to any application for disclosure of the previous proceedings any objections or consents received by them.
3. Assuming the other proceedings are disclosed, the parties shall agree the relevant documents from those proceedings to be included in the court bundle.

**Direction to DWP for disclosure of party’s address**

1. A separate order has been made in relation to disclosure of a party’s whereabouts by the DWP.

**Police disclosure**

1. A separate order has been made in relation to police disclosure in form Annex H.

**Disclosure to the Police/CPS**

1. The local authority may disclose to the Police and/or CPS [and to the defence solicitors] for use in relation to the current criminal investigation or proceedings the following documents: [*insert*].

**Concluded relevant criminal proceedings**

1. The solicitors for [*name*] shall by 4.00pm on [*date*] send to the other parties copies of the following documents in respect of criminal proceedings in the [Magistrates] / [Crown Court] at [*place*] (Case no. [*number*]):
2. [indictments] / [charges];
3. witness statements;
4. any written basis of plea placed before the court;
5. pre-sentence and other reports placed before the court;
6. a transcript of any sentencing remarks;
7. certificate of conviction.
8. Upon receipt of the disclosure the parties shall agree those documents that are relevant to the issues in these proceedings which shall be filed at court and included in the bundle.

**Linked care and criminal proceedings**

1. A separate order has been made in relation to linked care and criminal proceedings in form Annex I

**Reports from third parties**

1. [*Name*] may send to the court and to the parties by no later than 4.00pm on [*date*] a report from [*name*] dealing with the aims and objectives of any support given by them to the parents, the parents’ engagement and progress and plans for future involvement.
2. The reasonable cost of such report shall be paid by [*name*] and shall be a proper and necessary charge on their public funding certificate.

**School/nursery reports**

1. The local authority shall by 4.00pm on [*date*] send to the court and to the parties a report from the child[ren]’s [school] / [nursery] detailing:
2. the child[ren]’s attendance and attainment;
3. parental engagement and co-operation;
4. any behavioural issues noted or observed or welfare concerns regarding the child[ren] (exhibiting any contemporaneous records);
5. any other matters relevant to the child[ren]’s welfare.

**Health visitor evidence**

1. The local authority shall by 4.00pm on [*date*] send to the parties the child[ren]’s health visitor records. The records shall not be included in the court bundle unless requested by a party, in which case the parties shall try to agree any relevant entries to be included in the court bundle to avoid the need for the full records being included.

**Drug/Alcohol testing**

1. [[*Name*] accepting [illegal drug] / [alcohol] usage as follows: [*insert*]], [his] / [her] solicitors shall by 4.00pm on [*date*] obtain and send to the court and to the other parties a [hair strand (EtG and FAEE)] [and] [CDT blood] test report which shall cover:
2. use of cannabis, cocaine, amphetamines, heroin, MDMA, [*insert other*] in the preceding [3] / [6] months;
3. segmented by month;
4. excessive alcohol consumption (by EtG and FAEE testing);
5. whether it is possible to say whether the results obtained are consistent with the accepted usage.
6. [*Name*] shall co-operate with SCRAM testing for excessive alcohol consumption for a month by month assessment for [3] / [6] months starting on [*date*]. The expert appointed to fit the SCRAM bracelet shall be instructed by [*name*]. The test report shall be sent to the court and to the parties by no later than 4.30pm on [*date*].
7. The court may draw a negative inference from failure to comply with any [drug] / [alcohol] testing requirement.
8. The costs of the testing and report [and fitting and removing the SCRAM bracelet] shall be [shared equally between the parties] / [paid by [*name*]] and shall be a necessary and proper charge on the public funding certificates of publicly funded parties.

**DNA testing**



1. The child[ren] [*name(s)*] shall be subject to DNA testing by an accredited testing agency to determine whether [*name*] is the father of the child[ren]. The person with care and control of the child[ren] is [*name*]. The adults to be tested are [*name(s)*].
2. [*Name*] must make the instruction and must by 4.00pm on [*date*] submit completed Form BD1 to an accredited agency. The results of testing must be sent to the court and to the tested adults by no later than 4.00pm on [*date*].
3. The cost of the testing shall be a necessary and proper charge on the public funding certificate of [*name*].

**Parenting assessment**

1. The local authority shall undertake a [PAMS] parenting assessment of [*name*] [as joint and as sole carers] and shall file the assessment report by no later than 4.00pm on [*date*].

In the event that the parents have any cognitive or physical difficulties, the assessment should address:

1. whether, and if so how, such difficulties impact on their ability to parent;
2. what steps have been taken by the local authority to ensure that the parent[s] understand[s] and [is] / [are] able to engage in the assessment;
3. what support has been given, and is proposed, to enable the parent[s] to give good enough parenting.

**Section 38(6) assessment**

1. The solicitor for [*name*] shall issue an application for a section 38(6) assessment by no later than [*date*].

The solicitor for [*name*] may disclose the case papers to any potential provider to enable enquiries to be made about the suitability and availability of a residential placement for [*name*] and the child[ren] for the purposes of assessment.

1. Proposed providers must be told what it is proposed the assessment should cover and that any viability assessment should set out:
2. the nature, timing and cost of the work the provider expects to undertake;
3. stating separately (with costings) any element of therapy, training or treatment.
4. The solicitor for [*name*] shall by 4.00pm on [*date*] send to the court and to the other parties viability assessments from any potential providers (positive or negative).
5. In the event that the proposed assessment involves mixed elements of assessment, therapy, training and/or treatment the parties shall liaise and try to agree how the costs of the assessment should be apportioned.
6. There will be a hearing at [*court*] on [*date*] allowing [*hours*] [when the court will hear submissions only] and decide whether to give permission for a section 38(6) [residential] assessment.
7. Permission is given for a residential assessment at [*place*] in respect of [*name*] and the child[ren] and the following directions apply:
8. [*Name*] shall by 4.00pm on [*date*] provide a mid-way report as to progress of the assessment to the solicitor for [*name*] who shall immediately send the report to the court and to the other parties;
9. [*Name*] shall by 4.00pm on [*date*] provide a final assessment report to the solicitor for [*name*] who shall immediately send the report to the court and to the other parties;
10. the cost of the assessment shall be paid [by the local authority] / [as follows [*insert*]].
11. [*Name*] may instruct an independent social worker (ISW) to undertake an assessment as to [*name*]. The ISW report shall be sent to the court and to the parties by 4.00pm on [*date*].

The cost of the ISW report shall be paid by [*name*] and shall be a proper charge on the funding certificate of any publicly funded party.

1. The application by [*name*] for permission for a [residential] / [further] assessment is refused.

**Sibling assessment**

1. The local authority shall by 4.00pm on [*date*] send to the court and to the other parties a sibling assessment report, to include consideration as to whether the child[ren] should be placed together or separately and, if so, in what combinations.

**Experts**

1. Permission to [*name*] to instruct an expert [*type of expert*], namely [*name*], as a single joint expert is [given] / [refused].
2. Permission to [*name*] to instruct the following experts is [given] / [refused]: [*name and discipline of expert*].
3. The application by [*name*] for permission to instruct an expert [*type of expert*] is adjourned pending compliance with Part 25C. Upon compliance the court will consider the application [at a hearing] / [on paper].
4. The lead for the instruction of the expert shall be [*name*].
5. The letter of instruction to the expert [as approved by the court today] / [to be agreed by the parties by 4.00pm on [*date*] and sent to the court] shall be sent the expert by 4.00pm on [*date*].
6. The issues to be dealt with by the expert are as follows: [*insert*]
7. Permission is [not] given for the expert to see and assess the child[ren].
8. The expert’s report shall be sent to the court and to the parties by no later than 4.00pm on [*date*].
9. Questions of the expert shall be dealt with in accordance with FPR r. 25.10.
10. The expert can request the court (by letter or e mail) to give directions pursuant to FPR rule 27.17 for the purpose of assisting in the carrying out of the expert’s functions.



1. Unless the experts are agreed, there shall be a meeting of experts to be arranged by the solicitor for the child[ren]. An agenda for the meeting shall be circulated and agreed not later than 5 days before the meeting. The meeting shall be chaired by [*name*]. Within 7 days after the meeting the experts shall produce a joint statement setting out the issues on which they agree and, with reasons, those on which they do not.
2. Permission is [not] given to call [*name*] to give oral evidence at the hearing.
3. Any application for permission to call an expert to give oral evidence must be made no later than 1 working day before the pre-IRH advocates meeting. Any party making such an application will be expected to have raised written questions in accordance with this order.
4. The following experts shall give their evidence concurrently: [*names*].
5. The expert shall give evidence by live link. [*Name*] shall send a witness bundle to the expert no later than 2 working days before the hearing.
6. The costs of the expert shall be paid by the parties equally and shall be a necessary and proper charge on the public funding certificates of any publicly funded parties.
7. The reports by [*name*] may be disclosed to any person or agency providing professional therapy, counselling or treatment to either of the parents or child[ren].

**Advocates’ meetings**

1. The child[ren]’s solicitor shall arrange an advocates’ meeting for no later than 2 working days before each hearing. Each advocates’ meeting shall be attended by the advocates who will appear at the hearing to which the advocates’ meeting relates.

The agenda for the advocates’ meeting on [*date*] shall include:

* 1. agreement of a threshold document setting out any remaining issues for the court to decide;
  2. an agreed template for the hearing on [*date*].

**Separate fact-finding hearing**

1. There shall be a separate fact-finding hearing starting at [*time*] on [*date*] allowing [*hours*].
2. The local authority must by 4.00pm on [*date*] send to the court and to the other parties:
   1. a schedule of the findings they seek at the fact-finding hearing including reference to the evidence relied upon in respect of each finding;
   2. any evidence and any supporting material not already provided upon which the local authority rely to prove the findings sought.
3. The [parent[s]] / [intervener[s]] must by 4.00pm on [*date*] send to the court and to the other parties their response and any materials they will rely on.
4. The following experts shall give oral evidence [concurrently] [remotely] at the fact-finding hearing: [*names*].
5. Any expert giving evidence remotely shall be sent a witness bundle by [*name*] together with good quality prints of any photographs, X-rays or scans to be referred to in evidence.
6. The written reports of the following experts shall be admitted as evidence at the fact-finding hearing and they shall not be called to give oral evidence: [*names*].
7. [*Add directions from Experts above regarding questions, meetings and joint statements*]
8. There shall be an advocates’ meeting at [*place*] on [*date*] when the parties shall consider whether the issues to be dealt with at the fact-finding hearing can be agreed or narrowed, with any admissions being recorded, or whether the evidence of any witness can be agreed or received by the court without the witness being called to give oral evidence.
9. The parties must by no later than [*date*] agree a timetable for the fact-finding hearing and submit it to the judge conducted the hearing for approval.
10. The guardian shall [not] attend the fact-finding hearing [but may by 4.00pm on [*date*] send to the court and to the parties a case analysis].
11. There shall be a pre-trial directions hearing at [*court*] on [*date*] allowing [*hours*].
12. The local authority shall by 12.00 noon on the working day before the fact-finding hearing deliver to the court and to the other parties:
13. a case summary and statement of facts and issues
14. an updated bundle of evidence necessary for the fact-finding hearing.
15. The cost of complying with these directions, including the cost of any expert giving evidence shall be paid by the parties equally and shall be a proper charge on the funding certificates of any publicly funded party.

**Final evidence**

1. The local authority must by 4.00pm on [*date*] send their final evidence and care plans to the court and to the other parties.
2. The parent[s] and the guardian must by 4.00pm on [*date*] send their position statements to the court and to the other parties.
3. The parent[s] must by 4.00pm on [*date*] send their final statements of evidence to the court and to the other parties.
4. The guardian must by 4.00pm on [*date*] send a final case analysis to the court and to the other parties.

**Issue resolution/early final hearing**

1. There will be an [issue resolution] / [early final] hearing at [*court*] on [*date*] allowing [*hours*]. The parties and their legal representative shall attend by 1 hour before the time listed for pre-hearing discussions.
2. The parties shall by 3 working days before the [IRH] / [EFH] send to the court and to the other parties their position statements setting out clearly what issues remain, including any issues about threshold, and identifying those witnesses whose evidence is required to address the remaining issues.
3. The local authority shall by 12.00 noon on the working day before the [IRH] / [EFH] send a case summary and draft case management order to the court and to the parties. The case summary must
   1. identify the issues agreed at the advocates’ meeting and those which remain to be decided;
   2. identify the witnesses whose evidence is needed to resolve the remaining issues;
   3. include a witness template for the final hearing.
4. All evidence, including expert evidence, must have been filed at court and sent to the parties by the time of the IRH.
5. The court may treat that hearing as an early final hearing, may take evidence and may make final orders.
6. If the parent[s] fail to attend the hearing without good reason the court may make final orders including care [and placement] orders.

**Settlement Conference**

1. The parties having read the Settlement Conference Protocol and filing their signed consents to a settlement conference, the matter is listed for a further [IRH] / [settlement conference] at [*place*] on [*date*] at [*time*] before [*name of judge*] allowing [*number*] hours, the parties to attend at [*time*].
2. Any person being assessed as special guardian should be invited to attend the settlement conference.
3. The local authority should ensure that an official able to authorise any change to the care plan attends the settlement conference.
4. No party shall file any position statements prior to the settlement conference.
5. The parties having read the Settlement Conference Protocol but not consenting to a settlement conference, a settlement conference is not directed. In the event that the parties do all consent they shall by 4.00pm on [*date*] send their signed consent form to the court together with a request for a settlement conference to be listed on a date prior to the final hearing date.

**Final hearing**

1. There shall be a final hearing starting at [*time*] on [*date*] allowing [*hours*]. If the parent[s] fail to attend the hearing without good reason the court may make final orders in their absence including care [and placement] orders.
2. The following directions are given in relation to the [timing] / [attendance] of witnesses: [*insert*].
3. The local authority shall by 12.00 noon on [*date*] send to the court and to the parties:
4. their written opening of the case cross-referenced to the evidence in the bundle;
5. the final hearing template (to include judicial reading and judgment time);
6. an updated case summary.

**Attendance at hearings**

1. The parents must attend all hearings and their travel expenses to and from court are a reasonable and necessary disbursement on their public funding certificates.
2. The hearing on [*date*] shall be attended by advocates only and the attendance of the parents is excused.
3. The attendance of the guardian at the hearing on [*date*] is excused.

**Interpreters/translation**

1. The court shall arrange for [*number*] interpreters fluent in [*language (and dialect if necessary)*] to be available at all future hearings to attend no later than one hour before the time the hearing is listed.
2. [*Name*] shall arrange for the translation of [*identify documents*] to be made into [*language (and dialect if necessary)*] and provided to [*name*]. The cost of translation shall be paid by [*name*] and shall be a reasonable and necessary charge on the funding certificate of any publicly funded party.
3. The court authorises the use of interpreters by the solicitors for [*name*] to enable them to take instructions and the expense shall be a reasonable and necessary charge on the funding certificate of any publicly funded party.

**Designated local authority**

1. The local authority shall serve a copy of this order and the court bundle on [*Name*] Council.
2. [*Name*] Council shall attend the hearing at [*court*] on [*date*] to determine the issue of designated authority.
3. The local authorities shall by 4.00pm on [*date*] send to the court and to the parties:
4. their written submissions on the issue which local authority should be designated in the [interim] care order;
5. an agreed [interim] / [final] care plan setting out the services to be provided to the children.
6. The court finding that [*Name*] Council are the designated local authority for the [interim] care order, [*Name*] Council are discharged as a party in these proceedings.

**Independent Reviewing Officer**

1. The local authority shall give the independent reviewing officer a copy of all orders and care plans for the child[ren].

**Special guardianship**

1. If the local authority is minded not to carry out a special guardianship assessment it shall notify the court and the parties immediately in writing in accordance with regulation 11(3) of the Special Guardianship Regulations 2005.
2. Any person given notice under regulation 11(3) may apply to the court within 7 days of being given notice for a direction that the local authority make arrangements to carry out a SG assessment. Such application shall be listed for urgent hearing. Only the local authority and the person[s] seeking to be assessed need attend the hearing unless the court directs otherwise. The local authority shall by 12.00 noon on the working day before the hearing send a position statement to the court and to the person[s] seeking to be assessed.
3. Permission is given to [*name*] to apply for a special guardianship order in respect of the child[ren] [*name(s)*].
4. The local authority shall prepare a special guardianship report and shall by 4.00pm on [*date*] send the report and a support plan to the court and to the person[s] being assessed.

**(or)**

As the child[ren] [is] / [are] neither looked after nor subject of an interim care order and the proposed special guardian lives in the area of [*Name*] Council, that Council shall prepare a special guardianship report and by 4.00pm on [*date*] send the report and support plan to the Court, the local authority and the person[s] being assessed. The local authority may disclose the case papers to [*Name*] Council for the purpose of preparing the report.

1. The local authority may disclose the case papers to the person[s] being assessed.
2. The local authority shall liaise with the person[s] being assessed to ascertain whether there is any information they would wish to be redacted from the special guardianship report before it is disclosed to the parents or others. The local authority shall by 4.00pm on [*date*] send the report to the court with any representations as to disclosure and/or redaction of the report and the court will decide whether and to whom the report should be disclosed and whether any redaction is necessary prior to disclosure.

**(or)**

The local authority shall by 4.00pm on [*date*] send a complete copy of the special guardianship report to the child[ren]’s guardian and a copy to those with parental responsibility for the child[ren] excluding the following information:

1. any references given
2. any financial information
3. detailed medical information in relation to the proposed special guardian[s]
4. any other information which the proposed special guardian[s] in conjunction with the local authority deem to be appropriate to exclude from the report before it is disclosed.
5. The special guardianship report is not to be served on those with parental responsibility.
6. The local authority shall arrange for the proposed special guardian[s] to attend the hearing on [*name*] to confirm agreement to the making of a special guardianship order. The local authority shall provide the proposed special guardian[s] with a copy of the special guardianship assessment, support plan and the care plan[s] for the child[ren].

**Placement application directions**

1. The local authority shall take all steps to enable a decision by the ADM regarding placement (including adoption medicals and child permanence report) and to ensure the ADM decision regarding any placement application is made by no later than 4.00pm on [*date*].
2. The local authority shall issue any application for a placement order (with Annex B report, statement of facts, child permanence report and ADM record of decision) by no later than 4.00pm on [*date*].
3. The local authority shall serve the child permanence report and the ADM’s record of decision on the parties but those documents shall not be included in the court bundle unless requested by any party by no later than the IRH.
4. The following directions shall apply immediately upon the issue of an application for a placement order:
5. the child[ren] shall be made party to the application;
6. the existing guardian shall be appointed as the child[ren]’s guardian;
7. the evidence in the care proceedings shall be admitted in the placement proceedings and vice versa;
8. the parents shall include their response to the placement application and the request to dispense with their consent within their final evidence in the care proceedings;
9. the guardian’s final case analysis in the care proceedings shall include a case analysis in respect of the placement application;
10. the placement order application shall be listed and heard at the same time as the application for a care order.

**Disclosure of this order**

1. The parties may disclose this order [redacted by removing any parts of the order not relevant for the purpose of disclosure] to any third party from whom disclosure of information/reports/evidence is sought under this order.
2. The local authority shall ensure that the Independent Reviewing Officer is provided with a copy of this order within 5 days of it being approved.

**Disclosure to potential adopters**

1. In order to assist with parallel planning and to avoid delay in the event of placement, the local authority may disclose anonymised information from the proceedings to any potential adopters.

**Extension of proceedings**

1. The timetable for the proceedings is extended until [*date*] because [*insert reasons*]. If a further extension is required before the next hearing the local authority may apply by letter or email to the allocated judge.

**Documents/Bundles**

1. No document other than a document specified in an order or filed in accordance with the Rules of any Practice Direction shall be filed without the court’s permission.
2. Court bundles must be prepared and lodged at court in accordance with Practice Direction 27A.
3. Permission is [not] given for the court bundle to exceed 350 pages [limited to [*number*] pages].
4. The local authority must provide a witness bundle for any hearing at which evidence is to be called.

**Variation of orders**

1. Any application to vary this or any other order is to be made to the allocated judge on notice to all parties.
2. Before making an application to vary [which may be made to the judge by email] the party seeking variation must seek the agreement of the other parties and when seeking the variation must submit a draft order and confirm (a) whether the proposed variation is agreed and (b) whether and, if so, to what extent, the proposed variation would affect the timetable for the proceedings.

**Final orders**

1. [*Name(s)*] [is] / [are] placed in the care of the local authority.
2. The local authority are authorised to place [*name(s)*] for adoption. The consent of [*name*] to the making of a placement order is dispensed with on the ground that the welfare of the child[ren] requires consent to be dispensed with.
3. [*Name*] shall allow [*name(s)*] to stay with or visit, or otherwise have contact with, [*name*] as follows: [*insert*].
4. [*Name(s)*] [is] / [are] placed under the supervision of the local authority until [*date*].
5. There shall be a child arrangements order as follows:
6. The child[ren] shall live with [*name*].
7. [*Name)*] must make sure that the child[ren] [*name(s)*] spend time or otherwise have contact with [*name*] as follows: [*insert*]
8. [*Name(s)*] [is] / [are] appointed special guardian[s] of [*name(s)*].

Dated: [*date*]

**SCHEDULE**

**Child[ren]’s current arrangements**

1. The child[ren] [is] / [are] living with [*name(s)*] and [is] / [are] having contact with the parent[s] [*name(s)*].

**Allocation**

1. The proceedings are allocated to [*name of judge*].

**Timetable for the proceedings**

1. 26 weeks from the date of issue of these proceedings will expire on [*date*].
2. The timetable cannot be completed within 26 weeks, but is expected to be completed by [*date*], because:
3. it is necessary to extend the timetable in order to resolve the case justly because [*insert reasons*];
4. the nature of the proceedings has changed in that [*insert*];
5. progress of the case has been delayed by litigation failure by one or more of the parties, namely [*name*].
6. The impact on the welfare of the child[ren] of such delay is [*insert*].

**Timetable for the child[ren]**

1. The key dates for the child[ren] are as follows:
2. [Moves of school] / [Start of new [school term] / [academic year]: [*dates*]
3. [Medical] /[Psychological] treatment: [*dates*]
4. LAC reviews: [*dates*]

**Threshold**

1. The threshold criteria are [agreed] / [in dispute] / [in dispute subject to concessions made].

**The key issues in the case are**:

1. [*Insert*]

**The parties’ positions are**:

* 1. [*Insert*]

**Alternative carers**

1. The following person[s] [is] / [are] identified as possible alternative carer[s]: [*names(s)*]
2. The parties have identified all the persons they wish to be assessed as possible alternative carers and the court has explained to them that any persons identified by them in the future may not be assessed due to the delay not being consistent with the timetable for the child[ren].

**Other relevant matters:**

11.

1. [*Insert*]

