**In the Family Court No: [*Case* *number*]**



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

**[The Matrimonial Causes Act 1973] /**

**[The Civil Partnership Act 2004] /**

**[The Child Support Act 1991] /**

**[Schedule 1 to the Children Act 1989] /**

**[The Inheritance (Provision for Family and Dependants) Act 1975] /**

**[The Matrimonial and Family Proceedings Act 1984 and Schedule 7 to the Civil Partnership Act 2004] /**

**[The Trusts of Land and Appointment of Trustees Act 1996] /**

**[The Married Women’s Property Act 1882 and ss 67, 68 and 74 of the Civil Partnership Act 2004]**

**(Delete as appropriate)**

**The** **[Marriage] /** **[Relationship] /** **[Family] of [*applicant* *name*] and [*respondent name*]**

**(Adapt as necessary)**

After hearing [*name the advocates(s) who appeared*]

After consideration of the documents lodged by the parties

**(In the case of an order made without notice)** After reading the statements and hearing the witnesses specified in para [*para number*] of the Recitals below

**ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN [OPEN COURT] / [PRIVATE]**

**(Delete as appropriate)**

|  |
| --- |
| **IMPORTANT NOTICE TO THE RESPONDENT, [*RESPONDENT NAME*]** **OF [*RESPONDENT ADDRESS*]**  **YOU MUST OBEY THIS ORDER. You should read it carefully. If you do not understand anything in this order you should go to a solicitor, Legal Advice Centre or Citizens Advice Bureau. [(In without notice cases)****You have a right to apply to the court to change or cancel the order.]**  **WARNING: IF YOU DO NOT OBEY THIS ORDER, YOU WILL BE GUILTY OF CONTEMPT OF COURT AND YOU MAY BE SENT TO PRISON, FINED OR HAVE YOUR ASSETS SEIZED**  **YOU MAY ALSO BE PREVENTED FROM MAKING ANY APPLICATION TO COURT IF YOU DO NOT DISCHARGE THESE OBLIGATIONS BY THE DUE DATE.** |

**The parties**

1. The applicant is [*applicant name*]

The respondent is [*respondent name*]

Further respondent(s): [*further respondents names*]

**(Specify if any party acts by a litigation friend)**

**Definitions**

1. [*Insert*]
2. [*Insert*]

**Recitals**

1. **(In the case of an order made without notice)** 
   1. This order was made at a hearing without notice to the respondent. The reason why the order was made without notice to the respondent was [*insert*];
   2. The Judge read the following [affidavits] / [witness statements] / [*insert*] and heard oral testimony from [*name*].
2. **(In the case of an order made following the giving of short informal notice)**
   1. This order was made at a hearing without full notice having been given to the respondent. The reason why the order was made without full notice having been given to the respondent was [*insert*].

**Findings of the court**

1. [*Name of judge*] of this court made an order on [*date*], requiring the respondent to [*insert (***e.g ‘file and serve his form e by [date and time])**].
2. [*Insert findings of breach*]
3. The applicant gave the respondent adequate notice of [his] / [her] intention to apply for this order by [*insert how* **(e.g ‘letter posted to the respondent on [date])**]. The applicant also served a copy of [his] / [her] application notice and statement in support on the respondent on [*date*].

**Undertakings to the court**

1. **(Record any undertakings given)**

**IT IS ORDERED THAT:**

1. **Order to file and serve [Form E] / [Form E1] / [replies to questionnaire]**
   1. The respondent shall file and serve a complete signed copy of [his] / [her] [Form E] / [Form E1] / [replies to questionnaire] together with all relevant attachments and accompanying documents by [*time and date*].
   2. If the respondent has not been personally served with this order by [*date*], and the respondent has thus not completed the steps by [*time and date*], then [he] / [she] shall file and serve a complete signed copy of [his] / [her] [Form E] / [Form E1] / [replies to questionnaire] together with all relevant attachments and accompanying documents by no later than 4pm on the date [*number*] days after the date on which [he] / [she] is personally served with this order. If that date falls on a date on which the courts are closed, then [he] / [she] shall file and serve [his] / [her] [Form E] / [Form E1] / [replies to questionnaire] by 4pm on the next day that they are open.
   3. A penal notice is attached to this paragraph.
2. **Service of order**

This order shall be personally served on the respondent.

1. **Costs**

The respondent shall pay the applicant’s costs of this application [summarily assessed at £[*amount*]] / [to be subject to detailed assessment in accordance with the Civil Procedure Rules 1998 Part 47 assessed if not agreed] by [*time and date*].

Dated [*date*]

**(Where undertakings have been given)**

**Notice pursuant to PD 37A para 2.1**

You [*applicant name*], and you [*respondent name*], may be sent to prison for contempt of court if you break the promise that have been given to the court

**Statements pursuant to PD 37A para 2.2(2)**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*applicant name*]

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*respondent name*]