**Precedent Library of Public Law Case Management Directions and Orders**

This document contains a comprehensive library of case management directions and orders in public law cases to be added to the standard short form templates as appropriate.

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**IMPORTANT NOTICES**

**Penal notice**

**To [*name of person to whom the penal notice is directed*]: If you the within-named [applicant] / [respondent] do not comply with this order you may be held to be in contempt of court and imprisoned or fined, or your assets may be seized.**

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

**Confidentiality warning**

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

**Compliance warnings**

**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.**

**Important information for litigants in person**

To [*name of LiP*]: You need to read this order and if there is anything you do not understand you should ask. If you are supporting (or being supported by) another party in the case, the lawyer for that party should be able to help. Otherwise you can ask any of the legal representatives or the court to let you have a list of local lawyers who are members of the Children Accreditation Scheme and who can advise or represent you.

The next hearing is at [*time*] on [*date*] and will deal with [*issues*]. You need to attend at [*time*].

Before that hearing you need to [*set out what they have to do, for example*]:

* + - * You need to make a written statement (typed if possible) dealing with [*issues*].
      * The statement must be no longer than [*number*] pages and in numbered paragraphs.
      * Add at the end of your statement ‘The contents of this statement are true’ and then sign and date it.
      * Attach to the statement any supporting documents you want the court to see.
      * You need to send your statement and supporting documents to the court and to the solicitors for the local authority, the parents and the child[ren], whose details are at the start of this order, **by 4.00pm on** [*date*].
      * [*Insert other*]

**RECITALS**

1. [*Insert recitals*]

**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. As there appears to be an issue as to jurisdiction which must be considered by the parties urgently, the local authority must 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. Once obtained the local authority must send the information to the court and the parties.

**Immigration information**

1. A separate order is made requesting immigration information.

**Adjournment of this hearing**

1. This hearing is adjourned until [*time*] on [*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] / [put under the supervision] of [*name of local authority*] for the duration of these proceedings or until further order.

**Authorisation to refuse contact**

1. 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, including that [*name*] is able and willing to give to the child[ren] the care it would be reasonable to expect a parent to give and consents to the inclusion of this exclusion requirement, the interim care order shall include an exclusion requirement in the following terms:
   1. [*Name*] must by [*date*] leave [*address* **(the dwelling-house in which s/he is living with the child(ren)**];
   2. [*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)**].
2. The exclusion requirement shall [last as long as the interim care order] / [remain in force until [*date*]].
3. A power of arrest is attached to the exclusion requirement [which shall remain in force until [*date*]].
4. The local authority must send this order to the [*Area*] Police with confirmation of the date and time that it has been served on the person who must comply with it.
5. 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 must by 4.00pm on [*date*] send to the parties [and to the court] [*insert details*].

**Parental responsibility**

1. 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*]].
2. 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*]].
3. The local authority must by 4.00pm on [*date*] write to [*name*] advising them:
   1. that they have been identified as a potential intervener and why;
   2. the date, time and venue 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 time, date(s) and venue of any relevant hearing listed;
   4. that they should seek legal advice (sending a list of local solicitors who are members of the Children Accreditation Scheme).
4. The local authority must 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.
5. [*Name*] is [invited to be] joined as an intervener for the following purposes: [*insert*]
6. 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*]:
   1. has litigation capacity within the meaning of sections 2 and 3 of the Mental Capacity Act 2005;
   2. is competent to give evidence;
   3. has capacity to consent to placement for adoption and/or the making of an adoption order.
2. The cost of the report must be paid by [the parties equally] / [*name*].
3. If [*name*] is assessed as having litigation capacity, the cognitive assessment shall also consider whether [*name*] is a vulnerable person and, if so:
   1. how their evidence in chief should be given;
   2. whether and how they should be questioned (cross-examined) including the length of questioning and the need for, and frequency of, any breaks;
   3. what support should be made available;
   4. whether separate waiting or other facilities are needed;
   5. whether their evidence should be given remotely.
4. There will be a hearing at [*court*] at [*time*] 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.
5. 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*].

1. [The solicitors for] [*name*] must by 4.00pm on [*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 email or post/DX as specified.
2. As [*name*] is not publicly funded:
   1. All parties must 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.
   2. 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 must provide the Official Solicitor with the identity and contact details of that person.
   3. 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.
3. If the local authority issue any application for a placement order the [mother’s] / [father’s] / [parents’] representatives must immediately consider whether the evidence of litigation capacity obtained in the care proceedings remains sufficient for the placement proceedings and if so must immediately ask 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 has concluded that there are currently no parties or witnesses for whom it is necessary to make participation directions because:
   1. no matters have been drawn to the attention of the court and it is aware of no reasons which would lead it to conclude otherwise;
   2. it has considered the matters adduced by [*name*] and concluded that the facilities available at court should afford sufficient protection.
2. The court considers that it may be necessary to make participation directions in respect of a party or witness.
3. If they have not already done so, any party who considers that specific measures need to be taken to enable a party or witness to understand the proceedings and their role in them when in court, put their views to the court, instruct their representatives before, during, and after the hearing or attend the hearing without significant distress should file an application notice and include the following information as far as practicable:
   1. why the party or witness would benefit from assistance;
   2. the measure or measures that would be likely to maximise as far as practicable the quality of their participation and/or evidence and why;
   3. written confirmation from any relevant witness of his/her views.
4. The court has concluded that [*name*] is [vulnerable] / [a protected party] and that [his] / [her] participation in the proceedings is likely to be affected because:
   1. it is alleged that [*name*] is the victim of domestic abuse;
   2. the court considers that the quality of evidence given by [*name*] is likely to be assisted by the services of an intermediary who can facilitate and enable communication and understanding of questions to and answers by a witness or party;
   3. [*other reason*].
5. [*Name*] must by 4.00pm on [*date*] ask [*name of intermediary provider*] to provide a quotation for the supply of services in the form of a preliminary assessment to include necessary preparative work and, if required, intermediary services and necessary preparative work for the ground rules hearing and final hearing and the following directions apply:
   1. the quotation must be sent to HMCTS for the attention of the court manager by [*date*];
   2. HMCTS must confirm acceptance of the quotation and payment of intermediary services within 7 days after receipt of the quotation;
   3. the case shall be listed for a [FCMH] / [ground rules hearing] / [IRH] at [*time*] on [*date*] allowing [*time estimate*];
   4. [*Name of intermediary provider*] must file a preliminary assessment [4 weeks after confirmation of payment of services by HMCTS] / [ by [*date*]] and shall attend, if required, the subsequent hearings;
   5. any default in compliance with these directions shall be brought to the attention of the case management judge on 48 hours’ notice to all parties.
6. The following measures are to apply to all hearings in this matter unless otherwise ordered. They must also be set out clearly in a separate schedule headed ‘Measures which apply in case number [*case number*]’ which is to be placed prominently on the case file and provided by the court office to security and the court usher for each hearing. Measures are to be taken to:
   1. provide separate entrances to, and waiting areas in, the court building for [*name(s)*];
   2. prevent [*name*] from seeing [*name*] whilst within the court building or its precincts;
   3. make sure that [*name*] is to arrive at court no later than 30 minutes before the hearing and is to report to [court security] / [the usher] immediately on arrival;
   4. security and the court staff must liaise to make sure that the parties do not meet except when they are in the hearing room;
   5. neither party is to approach the other directly;
   6. allow [*name*] to participate in hearings and give evidence:
      1. by live link;
      2. by a recording made [and transcribed at the expense of [the parties equally] /[*name(s)*]] in advance of the hearing;
      3. with the aid of a [signer] / [*other*];
      4. by use of evidence already given in other proceedings, namely [*give details*];
      5. [*other*].
   7. provide for [*name*] to:
      1. use a [*identify aid*] to help communicate;
      2. participate in proceedings with the assistance of an intermediary;
      3. be questioned in court with the assistance of an intermediary;
   8. provide for all hearings to take place in a courtroom;
   9. ensure in relation to any questioning of [*name*] that:
      1. questions or topics are agreed prior to the hearing;
      2. any questions that [can be] / [have been] put by one advocate may not be repeated by another without the court’s permission;
      3. questions may be put by [one advocate] / [the judge] only;
      4. [example] questions [from each topic to be put] are 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];
      5. [*other*].
7. All parties’ legal representatives are expected to be familiar with and to use the techniques employed by the toolkits and approach of The Inns of Court College of Advocacy. The toolkits are available at [www.theadvocatesgateway.org/toolkits](http://www.theadvocatesgateway.org/toolkits).
8. The court has made these participation directions for the following reasons:
   1. they are a proportionate way to meet the apparent needs of [*name*];
   2. they protect both parties from coercive conduct or false allegations of coercive conduct;
   3. [*other reasons*].
9. These participation directions have been made by the court without receiving representations from all parties. An application may be made to set aside, vary or stay them provided it is issued within seven days of service of this order.
10. The court considers that a measure under Family Procedure Rules rule 3A is necessary but the measure is not available to the court because [*insert reasons*].
11. The participation directions given on [*date*] are [revoked] / [varied] as follows: [*insert details*] because [*give reasons*].

**Child[ren] giving evidence**

1. There will be a hearing on [*date*] to consider whether the child[ren] should give oral evidence. In preparation for that hearing:
   1. [*Name*] must by [*date*] make available any ABE interview of the child[ren] to be viewed by the judge and all parties;
   2. **(where there is a pending criminal investigation or prosecution)** [*Name*] must 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;
   3. the children’s guardian [[*name*]] must by [*date*] send to the court and to the parties a report in respect only of the child[ren] subject of these proceedings to whom the question of giving evidence relates dealing with the following matters 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. whether any specialist assessment is required before the court can decide whether the child[ren] should give evidence;
      7. the views of the children’s guardian, having discussed the question with the child[ren].
   4. the parties must 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].
2. The child[ren] will [not] give evidence at the hearing on [*date*].
3. There will be a ground rules hearing at [*court*] on [*date*] [which the parents and any other family members must not attend] to consider the following matters:
   1. 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;
   2. the need for and use of an intermediary or other communications specialist or other support for the child[ren] giving evidence;
   3. 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;
   4. what if any papers should be disclosed to the child[ren];
   5. 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].

**Involving the child[ren]**

1. The children’s guardian must consider whether a meeting between [*name of child(ren)*] and the judge would be in the child[ren]’s interests having regard to the child[ren]’s wishes, the purpose of such a meeting having been explained to the child[ren].
2. The children’s guardian must provide [a written report by letter by [*date*]] / [an oral report at the next hearing] on the question whether the child[ren] should meet with the judge.
3. At the next hearing the court will consider representations as to whether there should be a meeting between the child[ren] and the judge.
4. The court having considered the parties’ representations and the wishes of the child[ren]:
   1. [*name of child(ren)*] shall be brought to court by [*name*] at [*time*] on [*date*] for a meeting with the judge;



* 1. the meeting (and preparation of the child[ren] for it) must be conducted in accordance with the Family Justice Council *Guidelines for judges meeting children who are subject to family proceedings* (April 2010) with which all professionals in the case must be familiar;
  2. the other persons present at the meeting will be [*names*] and a note of the meeting shall be taken by [*name*] which shall be circulated to the parties following the meeting.

1. [*Name*] must explain the outcome of this hearing to the child[ren].
2. The [letter from the judge to] [summary of reasons for this order for] the child[ren] annexed to this order must be given to the child[ren] by [*name*] [who must also give any further explanation sought by the child[ren]].

**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:
   1. a response to threshold;
   2. a response to the local authority evidence to date;
   3. proposals for the long-term care of the child[ren], including the names and contact details of alternative carers proposed by the parent;
   4. the parent’s proposals for the placement of the child[ren] both in the immediate and long term;
   5. any other matters relevant to the issues before the court and the welfare of the child[ren].
2. 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 not disputing threshold criteria as set out by the local authority**.**

**Family Group Conference**

1. The local authority must consider whether to convene and, if appropriate, make a referral for a family group conference (FGC) and must by 4.00pm on [*date*] either:
   1. confirm the date the FGC is to be held; or
   2. if it is not proposed to hold a FGC, explain why not.
2. 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.
3. The local authority must within 14 days after the FGC is held send minutes of the FGC to the court and to the other parties.

**Alternative carer assessments**

1. The parents must by 4.00pm on [*date*] provide thelocal authority with the details (including contact details) of any person they wish to be considered as alternative carers for the child[ren] in the event that the child[ren] cannot be returned to or remain with the parents. If the parents fail to comply with this direction it may mean that any person put forward late cannot be considered because of the delay it would cause to the child[ren]’s timetable.
2. The local authority must, by 4.00pm on [*date*] send to the court, to the person being assessed and to the other parties [suitability] / [viability] / [standard] assessments of the following:
   1. [*insert*]
   2. The local authority may apply to review whether an assessment should be continued or cancelled in the event that it contends that the proposed carer is not a realistic option for care.
3. In the event that the [suitability] / [viability] assessment[s] [is] / [are] positive the local authority must by [*date*] send full special guardianship or connected person foster care assessments to the court and to the other parties.

Further, the local authority is requested to consider funding 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).

1. In the event that the suitability, viability or full assessments are negative the local authority must forthwith on completion of the assessment write to the person assessed with a copy of the assessment, confirming the date, time and venue of the next court hearing and a list of local solicitors who are members of the Children Accreditation Scheme, explaining that in the event that the person challenges the assessment they must:
   1. seek legal advice as soon as possible;
   2. inform the local authority in writing within 7 days that they dispute the factual assertions of the assessment and/or its conclusions; and
   3. attend the next court hearing.

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

1. The [parents] / [family] having been given time to identify other persons to be assessed [and having failed to do so] no further viability assessments shall be undertaken [without court order].

**Contact records**

1. The local authority must 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 must 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*] must 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 paid by [*name*] and be a charge on their public funding certificate.
2. The [*hospital name*] Access to Records Team must 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:
   1. notes
   2. photographs
   3. bodymaps
   4. X-rays
   5. reports
   6. antenatal records.
3. The Access to Records Team may apply to set aside or vary this order on 48 hours’ written notice to the court and to the parties.
4. The records must not be included in the court bundle unless requested by a party, in which case the parties must try to agree any relevant entries to be included in the court bundle to avoid the need for the full records being included.
5. In the event of non-compliance, any party may seek permission for the issue of a witness summons to secure the attendance of a person to bring the medical records to court. Any such request must be made as soon as practicable and accompanied by a letter asking the court to treat the request as urgent and to be expedited.

**Health visitor evidence**

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

**School/nursery reports**

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

**Reports from third parties**

1. So that the court can assess the benefits of support being given or which could be given to the parents to enable them to maintain or resume care of the child[ren], [*name*] must send to the court and to the other parties by no later than 4.00pm on [*date*] a report from [*name*] dealing with the aims and objectives of any support given, or proposed to be 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 charge on their public funding certificate the court being satisfied that the information is necessary for the purpose of assessment of the parents and the local authority’s care plan, not the provision of therapy or training.

**Disclosure of other proceedings**

1. The local authority must give 7 days’ notice to any party in proceedings under case number [*case no.*] in the [Family Court sitting at [*place*]] / [Family Division] (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 and that if they do not object they will be taken not to oppose disclosure.
2. The local authority must 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 must agree the relevant documents from those proceedings to be included in the court bundle.

**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*] must 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*]):
   1. [indictments] / [charges];
   2. witness statements;
   3. any written basis of plea placed before the court;
   4. pre-sentence and other reports placed before the court;
   5. a transcript of any sentencing remarks;
   6. certificate of conviction.
2. Upon receipt of the disclosure the parties must agree those documents that are relevant to the issues in these proceedings which must be filed at court and included in the bundle.
3. The cost of obtaining these documents must be shared by the parties.

**Drug/Alcohol testing**

1. [[*Name*] [accepting] / [disputing] [illegal drug] / [alcohol] usage as follows: [*insert*]], [his] / [her] solicitors must 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:
   1. use of cannabis, cocaine, amphetamines, heroin, MDMA, [*insert other*] in the preceding [3] / [6] months;
   2. segmented by month;
   3. excessive alcohol consumption (by EtG and FAEE testing);
   4. whether it is possible to say whether the results obtained are consistent with the accepted usage.
2. [*Name*] must co-operate with transdermal continuous alcohol testing (TACT) for excessive alcohol consumption for a month by month assessment for [3] / [6] months starting on [*date*]. The expert appointed to fit the TACT bracelet must be instructed by [*name*]. The test report must be sent to the court and to the parties by no later than 4.00pm on [*date*].
3. The court may draw a negative inference from failure to comply with any [drug] / [alcohol] testing requirement.
4. The costs of the testing and report [and fitting and removing the TACT bracelet] must be [shared equally between the parties] / [paid by [*name*]] provided that the cost of any therapeutic work undertaken may not be a disbursement against any party’s public funding certificate.

**Paternity testing**



1. Pursuant to section 20 of the Family Law Reform Act 1969 the child[ren] [*name(s)*] shall be subject to DNA testing by a testing agency accredited in accordance with the 1969 Act to determine whether [*name*] is the father of the child[ren] [*name(s)*]. The person with care and control of the child[ren] is [*name*]. The adults to be tested are [*name(s)*].
2. At the time the samples are taken the person being tested must produce to the sampler:
   1. form BD1;
   2. photo identity;
   3. a copy of this order.
3. The instruction to the accredited testing agency must be accompanied by a statement identifying what the range of relatedness or un-relatedness might be and express in clear terms what those being tested believe their relationship to be.
4. [*Name*] must make the instruction and must by 4.00pm on [*date*] submit completed Form BD1 to an accredited testing agency. The results of testing must be sent to the court, to the tested adults and the local authority by no later than 4.00pm on [*date*].
5. In the event that further samples are required an application in writing must be made to the allocated judge and this requirement must be made clear to the accredited testing agency at the point of instruction.
6. The cost of the testing must be paid [by the parties equally] / [in the following shares: [*identify shares*]] / [by [*name*]].

**Parenting assessment by local authority**

1. The local authority must undertake a parenting assessment of [*name*] [as joint and as sole carers] and must file the assessment report by no later than 4.00pm on [*date*].
2. In the event that the parents have any cognitive or physical difficulties, the assessment must 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 meet the needs of the child[ren];
   4. active consideration of the parents’ capacity to change.

**Sibling assessment**

1. The local authority must 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 and inter-sibling contact in the event of separation.

**Experts**

1. [The court being satisfied that it is necessary for the following expert to be instructed,] [permission] to [*name*] to instruct an expert [*type of expert*], namely [*name*], as a single joint expert is [given] / [refused].
2. [The court being satisfied that it is necessary for the following expert to be instructed,] [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 following directions shall apply to the instruction of [*name or discipline of expert*]:
   1. The lead for the instruction of the expert shall be [*name*].
   2. 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] must be sent the expert by 4.00pm on [*date*].
   3. The questions to be dealt with by the expert are as follows: [*insert*]
   4. Permission is [not] given for the expert to see and assess the child[ren].
   5. The expert’s report must be sent to the court and to the parties by no later than 4.00pm on [*date*].
   6. Permission is [not] given to call [*name*] to give oral evidence at the hearing.
5. Questions of the expert must be dealt with in accordance with FPR rule 25.10.
6. Experts can request the court (by letter or email) to give directions pursuant to FPR rule 25.17 for the purpose of assisting in the carrying out of the expert’s functions.



1. Unless the experts are agreed, there must be a meeting of experts to be arranged by the solicitor for the child[ren]. An agenda for the meeting must be circulated and agreed not later than 5 days before the meeting. The meeting must be chaired by [*name*]. Within 7 days after the meeting the experts must produce a joint statement setting out the issues on which they agree and, with reasons, those on which they do not.
2. 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 FPR rule 25.17.
3. The following experts shall give their evidence concurrently: [*names*].
4. [*Name of expert(s)*] shall give evidence by live link. [*Name*] must send a witness bundle to the expert no later than 2 working days before the hearing.
5. The costs of the expert[s] [attending] must be paid by the parties [equally] / [in the same proportions as the costs of the original instruction of the expert, subject to any further order made by the court].
6. 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].

**Residential assessments**

1. 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.
2. Proposed providers must be told what it is proposed the assessment should cover and that any viability assessment must set out:
   1. the nature of the work the provider expects to undertake;
   2. a statement of the benefits of the proposed assessment compared to its impact on the child[ren];
   3. who will carry out and report on the assessments and their curriculum vitae;
   4. specific timescales for each part of the assessment including any part of the assessment of the parent[s] alone and with the child[ren];
   5. a full breakdown of the costing of each part of the proposed assessment stating separately the cost of any element of therapy, training or treatment.
3. The solicitor for [*name*] must by 4.00pm on [*date*] send to the court and to the other parties viability assessments from any potential providers (positive or negative).
4. In the event that the proposed assessment involves mixed elements of assessment, therapy, training and/or treatment the parties must liaise and try to agree how the costs of the assessment should be apportioned.
5. 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.
6. Permission is given for a residential assessment at [*place*] in respect of [*name*] and the child[ren] and the following directions apply:
   1. [*Name*] must by 4.00pm on [*date*] provide a mid-way report as to progress of the assessment to the solicitor for [*name*] who must immediately send the report to the court and to the other parties;
   2. [*Name*] must by 4.00pm on [*date*] provide a final assessment report to the solicitor for [*name*] who must immediately send the report to the court and to the other parties;
   3. the cost of the assessment, not being payable under the parties’ public funding certificates, must be paid [by the local authority] / [as follows [*insert*]].

**Advocates’ meetings**

1. The child[ren]’s solicitor must 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 or any subsequent fact-finding or final hearing if different.
2. The agenda for the advocates’ meeting on [*date*] must 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 will be a separate fact-finding hearing starting at [*time*] on [*date*] allowing [*hours*].
   1. 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.
   2. The [parent[s]] / [intervener[s]] must by 4.00pm on [*date*] send to the court and to the other parties their response and details of any findings they will seek against another party or intervener including reference to the evidence relied on and any further evidence and supporting materials not already provided which they will rely on.
   3. The following experts shall give oral evidence [concurrently] [remotely] at the fact-finding hearing: [*names*].
   4. Any expert giving evidence remotely must 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.
   5. The written reports of the following experts will be admitted as evidence at the fact-finding hearing and they shall not be called to give oral evidence: [*names*].
   6. [*Add directions from Experts above regarding questions, meetings and joint statements*]
   7. There will be an advocates’ meeting at [*place*] at [*time*] on [*date*] when the parties must 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.
   8. The parties must by no later than [*date*] agree a timetable for the fact-finding hearing and submit it for approval by the judge who is to conduct the hearing.
   9. The children’s 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].
   10. There will be a pre-trial directions hearing at [*court*] on [*date*] allowing [*hours*].
   11. The local authority must by 11.00am on the working day before the fact-finding hearing deliver to the court and to the other parties:
       1. a case summary and statement of facts and issues
       2. an updated bundle of evidence necessary for the fact-finding hearing.
   12. The cost of complying with these directions, including the cost of any expert giving evidence must be paid by the parties [equally] / [in relation to the attendance of experts, in the same proportions as the costs of the original instruction to the expert, subject to any further order made by the court].

**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 child[ren]’s 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 children’s 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 [issues resolution] / [early final] hearing at [*court*] at [*time*] on [*date*] allowing [*hours*]. The parties and their legal representative must attend by one hour before the time listed for pre-hearing discussions.
   1. The parties other than the local authority must 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.
   2. The local authority must by 11.00am 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.
   3. All evidence, including expert evidence, must have been filed at court and sent to the parties by the time of the IRH.
   4. The court may treat that hearing as an early final hearing, may take evidence and may make final orders.
   5. If the parent[s] fail to attend the hearing without good reason the court may make final orders including care [and placement] orders.
   6. The children’s guardian must attend this hearing unless [he] / [she] has a prior professional commitment and has been excused at the time the IRH is fixed.

**Settlement conference**

1. The parties having read the settlement conference information and filing their signed consents to a settlement conference, the matter is listed for a further [IRH] / [settlement conference] at [*place*] at [*time*] on [*date*] 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 information but not consenting to a settlement conference, a settlement conference is not directed. In the event that the parties do all consent they must 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 will be a final hearing starting at [*time*] on [*date*] allowing [*time estimate*]. 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 must by 11.00am on [*date*] send to the court and to the parties:
   1. their written opening of the case cross-referenced to the evidence in the bundle;
   2. the final hearing template (to include judicial reading and judgment time);
   3. an updated case summary.

**Attendance at hearings**

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

**Interpreters/translation**

1. The court must 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. The court authorises the use of interpreters by the solicitors for [*name*] to enable them to take instructions. The cost of the interpreters must be paid by [*name*].
3. The parties must agree the documents (or summaries of documents) that it is necessary to translate to enable the parties to understand the case and give instructions. A list of the documents it is proposed to translate must be submitted to the court by 4.00pm on [*date*] so that the court can satisfy itself that the documents need to be translated.
4. [*Name*] must arrange for the translation of [*identify documents*] to be made into [*language (and dialect if necessary)*] and provided to [*name*]. The court is satisfied that the translation of these documents is necessary. The cost of translation shall be paid by [*name*].

**Designated local authority**

1. The local authority must serve a copy of this order and the court bundle on [*name*] Council.
2. [*Name*] Council must attend the hearing at [*court*] at [*time*] on [*date*] to determine the issue of designated authority.
3. The local authorities must by 4.00pm on [*date*] send to the court and to the parties:
   1. their written submissions on the issue which local authority should be designated in the [interim] care order;
   2. an agreed [interim] / [final] care plan setting out the services to be provided to the children.
4. 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 must give the independent reviewing officer a copy of all orders and care plans for the child[ren].

**Special guardianship**

1. Permission is given to [*name*] to apply for a special guardianship order in respect of the child[ren] [*name(s)*].
2. The local authority must prepare a special guardianship report and shall by 4.00pm on [*date*] send the report 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 must prepare a special guardianship report and by 4.00pm on [*date*] send the report 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 [following] case papers to the person[s] being assessed: [*insert documents to be disclosed*].
2. The local authority must 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 must 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 must by 4.00pm on [*date*] send a complete copy of the special guardianship report to the children’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.

1. The special guardianship report is not to be served on those with parental responsibility.
2. The local authority must 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 must provide the proposed special guardian[s] with a copy of the special guardianship assessment and the care plan[s] for the child[ren].

**Placement application directions**

1. The local authority must 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 [*date*].
2. The local authority must 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 must 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 placement application may be served on the parents’ solicitors if they remain on record as acting for the parents in these care proceedings.
5. The following directions shall apply immediately upon issue of an application for a placement order:
   1. the child[ren] shall be made party to the application;
   2. the existing children’s guardian in the care proceedings shall be appointed as the children’s guardian;
   3. the evidence in the care proceedings shall be admitted in the placement proceedings and vice versa;
   4. the parents must include their response to the placement application and the request to dispense with their consent within their final evidence in the care proceedings;
   5. the children’s guardian’s final case analysis in the care proceedings must include a case analysis in respect of the placement application;
   6. the placement order application must be listed and heard at the same time as the application for a care order;
   7. the child[ren] shall not attend the final hearing of the application for placement order[s].

**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 must ensure that the Independent Reviewing Officer is provided with a copy of this order within 5 days of it being approved.

**Disclosure to assist parallel planning**

1. In the event that the plan for the child[ren] has been approved by the local authority agency decision maker as one of adoption, permission is given to the local authority to:
   1. disclose any composite child permanence report/rule 14 report to any prospective adopters as part of the family finding process, redacting the names and addresses of the parents and child[ren] in the event of disclosure before the making of a placement order;
   2. send anonymous details and a photograph of the child[ren] to ‘Adoption Link’ for publication in ‘Be My Parent’;
   3. send anonymous details and a photograph of the child[ren] to the Local Consortium of Adoption Agencies for publication;
   4. send anonymous details and a photograph of the child[ren] to the National Adoption Register for publication.

**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. An application to vary this or any other order may be made by email to the allocated judge provided the party seeking variation seeks the prior 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 that their consent be dispensed with.
3. [*Name*] and [*name*] are directed to keep the court and the local authority informed of their addresses and contact details. If they do not do so, service may be effected by post to their last known addresses. Such service may be deemed to be sufficient notice of any subsequent adoption proceedings and hearings within them.
4. [*Name*] must allow [*name(s)*] to have contact with, [*name*] as follows: [*insert*].
5. [*Name(s)*] [is] / [are] put under the supervision of the local authority until [*date*].
6. There shall be a child arrangements order as follows:
   1. The child[ren] shall live with [*name*].
   2. [*Name)*] must make sure that the child[ren] [*name(s)*] spend time or otherwise have contact with [*name*] as follows: [*insert*].
7. [*Name(s)*] [is] / [are] appointed special guardian[s] of [*name(s)*].
8. The [local authority having withdrawn their application, the] court makes no order

**Transcript**

1. The [local authority] / [*other*] must by 4.00pm on [*date*] apply for a transcript of the [fact-finding] judgment given [today] / [on [*date*]] [together with the evidence given by [*name*] on [*date*]] [and such transcript must be expedited].
2. A transcript of the judgment is necessary:
3. [so that the expert can carry out a[n] [risk] assessment based on the findings made]
4. [to inform the welfare hearing]
5. [so that [*name*] may [be advised whether to] apply for permission to appeal the order made [today][on [*date*]].
6. The cost of the transcript must be [paid by the local authority] / [shared by all parties equally] / [met as a public expense].

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*].

**Separate orders made**

1. Direction to DWP for disclosure of party’s address.
2. Police disclosure in form Annex H.
3. Linked care and criminal proceedings Annex I.
4. Declaration of parentage.
5. Production order.

**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:
   1. it is necessary to extend the timetable in order to resolve the case justly because [*insert reasons*];
   2. the nature of the proceedings has changed in that [*insert*];
   3. progress of the case has been delayed by litigation failure by one or more of the parties, namely [*name*].
   4. the impact on the welfare of the child[ren] of such delay is [*insert*];
   5. [*other*].

**Timetable for evidence**

1. [*Dates evidence is/was due to be filed with date of actual filing where applicable*].

**Timetable for the child[ren]**

1. The key dates for the child[ren] are as follows:
   1. [Date child was placed/accommodated]
   2. [Date(s) of moves of foster placement]
   3. [Moves of school] / [Start of new [school term] / [academic year]: [*dates*]
   4. [Medical] /[Psychological] treatment: [*dates*]
   5. 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*]

**Other relevant matters:**

* 1. [*Insert*]

