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

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

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Order**  **Children Act 1989** | | |
|  |  |  |  |
|  | The full name(s) of the child(ren) | Boy or Girl | Date(s) of Birth |
|  |  |  |  |
|  | [*insert*] | [*insert*] | [*insert*] |
|  | [*insert*] | [*insert*] | [*insert*] |
|  |  |  |  |

Order made by [*name of judge*] in private on [*date*] without a hearing.

**The parties:** The applicant is [*name*] represented by [*name*] [of counsel]

The 1st respondent is [*name*], the [*relationship to child*], represented by [*name*] [of counsel]

The 2nd respondent is [*name*], the [*relationship to child*], represented by [*name*] [of counsel]

The 3rd [[and] / [to][*insert* **(number so that each child is identified as a separate respondent)**] respondent[s] [is] / [are] the child[ren] (by their children’s guardian [*name*]) represented by [*name*] [of counsel]

**Important Notices**

**Right to apply**

**As these directions have been made without a hearing you may ask the court to reconsider this order. You must do that within seven days of receiving this order by writing to the court (and notifying any other party) and asking the court to reconsider. Alternatively the court may reconsider the directions at the first hearing.**

## Confidentiality warnings

**During the proceedings and after they have concluded no person shall publish information related to the proceedings including accounts of what has gone on in front of the judge, documents filed in the proceedings, transcripts or notes of evidence and submissions, and transcripts and notes of judgments (including extracts, quotations, or summaries of such documents). Any person who does so may be in contempt of court.**

**Until the conclusion of the proceedings no person shall publish to the public at large or any section of the public without the court’s permission any material which is intended or likely to identify the child[ren] as being involved in these proceedings or an address or school as being that of the child[ren]. Any person who does so may be guilty of an offence.**

**The exceptions to this are in Rules 12.73 or 12.75 or Practice Direction 12G of the Family Procedure Rules 2010.**

**Information related to the proceedings must not be communicated to any person other than as allowed by Rules 12.73 or 12.75 or Practice Direction 12G of the Family Procedure Rules 2010.**

**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.**

**Allocation**

1. The application is transferred to the Family Court at [*court*]. The reason for transfer is [*insert*].
2. The application is allocated to the legal adviser and lay justices] / [district judge] / [circuit judge] and reserved to [*name of judge*]].

**Hearings**

1. A[n] [first hearing dispute resolution appointment (FHDRA)] / [directions hearing] / [urgent hearing] will take place at [*time*] on [*date*] allowing [*hours*].
2. The hearing is urgent because [*insert*]. At that hearing the court will consider [*insert*]. Time for service of the application is shortened to [*days*] which means that the application and notice of hearing must be served by [*date*].
3. The application for an urgent hearing is refused because [*insert*].
4. The parties must attend court by [*time*] to give an opportunity for discussions before the hearing.

## Direction to file Statement in relation to NCDR

1. [Both parties] / [The applicant] / [The respondent] shall file with the court and serve on [the other party] / [all other parties] by [[*number*] days before the [First Appointment **(if proceedings concern an application for a financial remedy)**] / [FHDRA **(if proceedings concern an application for a child arrangements order)**]] / [the next hearing] / [[*time*] on [*date*]] Form FM5 setting out their views on using non-court dispute resolution as a means of resolving the matters raised in the proceedings.

**Safeguarding and other information**

1. [Cafcass] / [CAFCASS Cymru] must send a safeguarding letter to the court and to the parties [and their solicitors if details are available] unless considered inappropriate by [Cafcass] / [CAFCASS Cymru]) by no later than [*date*].
2. [Cafcass] / [CAFCASS Cymru] must undertake the following additional safeguarding checks:
   1. [*insert*].
3. [*Name of local authority*] Council must by 4.00pm on [*date*] send to the court a report dealing with its involvement with the family, any concerns the local authority has regarding any parent or any other relevant adult, any current [work] / [child] protection plans being undertaken, together with any recommendations regarding arrangements for the child[ren].
4. The child[ren]’s social worker [must] / [is not required to] attend the next hearing.
5. This order shall be served on the local authority by the court.

**Attendance at MIAM**

1. The court has considered the exemption claimed for attendance at a mediation information and assessment meeting (MIAM) and is not satisfied that it was properly claimed. Accordingly, [*name*] must attend a mediation information and assessment meeting before the next hearing and must at the hearing provide evidence of attendance.
2. The FHDRA has been adjourned until [*date*] therefore the parties are encouraged to [re]consider alternative dispute resolution methods including: mediation including shuttle mediation, arbitration, early neutral evaluation. The judge on the next occasion [may] / [will] require confirmation as to whether or not any alternative methods have been attempted.

**Domestic abuse issues**

1. [*Name*] has raised issues of domestic abuse which may be relevant to the court’s determination. The following directions therefore apply:
   1. The issue of domestic abuse will be considered at the FHDRA;
   2. In the meantime the parties are not expected to engage in mediation or other forms of dispute resolution;
   3. **(where a party or cafcass has requested special measures or safety arrangements)** The court will make enquiries of the [applicant] / [respondent] to find out how they wish to participate in the hearing and to make arrangements to ensure their safety when attending the hearing.

**Participation directions**

1. 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 evidence or participation and why;
   3. written confirmation from any relevant witness of his/her views.

**Interpreters**

1. The court shall arrange an interpreter for [*name*] for all future hearings in the following languages (and dialect if necessary):
   1. [*insert*].

**Applications for permission for experts**

1. Any party intending at the FHDRA to apply for permission to instruct an expert must first comply fully with the requirements of Practice Direction 25C of the Family Procedure Rules including:
   1. The nature of the proceedings and the issues likely to require determination by the court;
   2. The issues in the proceedings which the expert evidence relate to;
   3. The questions which the expert is asked to give an opinion on;
   4. Whether or not permission is sought for the expert to examine the child
   5. Whether or not it will be necessary for the expert to conduct interview and if so, with whom;
   6. The likely timetable and filing date for the report;
   7. Consideration of the whether oral evidence will be required from the expert;
   8. Full details of the experts anticipated costs for the instruction including overall costs, hourly rate, hours to be undertaken, confirmation of legal aid rates, travel, court attendance costs.

**Production order**

1. See separate production order.

**Other directions**

1. The following additional directions apply:
   1. The applicant must by 4.00pm on [*date*] provide a current address for the respondent or give reasons why the respondent’s address is not known;
   2. [*Insert*].

Dated [*date*]