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

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

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Order**  **Children Act 1989** | | |
|  |  |  |  |
|  | The full name(s) of the children | 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 [*local authority*]

The 1st respondent is [*name*], the [*relationship to child*]

The 2nd respondent is [*name*], the [*relationship to child*]

**Timetable:** The 26 week time limit for this case expires on [*date*].

**Important Notices**

**Right to apply**

**Because 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 parties) 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.**

**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.**

**IT IS ORDERED THAT:**

## Next hearing

1. There shall be a case management hearing at the Family Court sitting at [*court name*] at [*time*] on [*date*] before [*name of judge*] allowing [*number*] hours. The parties and advocates shall attend 1 hour prior to the listed time for pre-hearing discussions.
2. The child[ren]’s solicitor shall arrange an advocates’ meeting not later than 2 working days before the next hearing which shall be attended by the advocates who will appear at the case management hearing.

## Allocation

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

## Parents’ response

1. [*Names*] shall by 4.00pm on [*date*] file at court and serve on the parties their Parent’s Response.
2. The number of alternative carers the parents are permitted to put forward are limited to a maximum of 3 per parent or 4 per child.
3. If [*name*] fails to comply with paragraph [*para number of parent’s response direction*] of this order they shall be deemed to accept the threshold allegations made by the local authority and to not be putting forward any alternative carers unless this paragraph is varied upon application.

## Children’s guardian’s analysis

1. A children’s guardian shall be appointed for the children.
2. The child[ren]’s guardian must by 11.00am on [*date*] file at court and serve on the parties a case analysis.

## Disclosure

1. In the event that the local authority has not already made a police protocol request pre-proceedings, it must make an Annex 1 request for any police disclosure it seeks within 7 days.
2. The parties must by 4.00pm on [*date*] serve any requests for disclosure on any third party (including any agencies and any medical body).
3. Any party intending at the case management hearing to seek an order for disclosure from a third party shall give written notice of the application with a copy of this order to the third party by [*date*].
4. Any third party objecting to the disclosure sought is directed either to attend the case management hearing to explain the objection or make written representations.
5. Any disclosure made in these proceeding is confidential and may not be disclosed to any third party without the court’s permission.

## Experts

1. Any party intending to seek permission to instruct an expert must make such application not later than [*date*] and must comply with the requirements of FPR 25 and PD 25C.

## Residential assessment

1. Any party proposing a residential assessment may disclose the case papers to any proposed provider for the purpose of viability assessments and must by 4.00pm on [*date*] file at court and serve on the parties details of any proposed providers and copies of any viability assessments received.

## Family Group Conference

1. The Local Authority must, by no later than 2 working days before the case management hearing, file at court and serve on the parties either:
   1. minutes of any family group conference that has already taken place; or
   2. the date fixed for the family group conference; or
   3. if no date has been fixed, the reason why not.

## Case summary and draft CMO

1. The local authority must by 11.00am on [*date*] file at court and serve on the parties a case summary and draft case management order.

## Bundles

1. The local authority must by 11.00am on [*date*] lodge an agreed and paginated bundle to comply with PD 27A.
2. If the case management hearing is to be conducted by lay justices the local authority must lodge 4 copies of the bundle by [*date*] (or if time has been abridged, as soon as practicable).

## Forward planning

1. The local authority must have available at the case management hearing information regarding any appropriate parallel planning including confirmation that preliminary paperwork has been completed and a request made for an adoption medical, the dates for panel medicals, panel meetings and the date when the matter will be considered by the agency decision maker.

Dated [*date*]

**ANNEX – ADDITIONAL ORDERS**

## Capacity

1. It appearing there may be an issue as whether [*name*] lacks capacity (within the meaning of the Mental Capacity Act 2005) to conduct the proceedings, [*name*] shall by 4.00pm on [*date*] file at court and serve on the parties a report from [*name of expert*] assessing their cognitive functioning and whether in the expert’s opinion [*name*] has capacity to conduct proceedings; is competent to give evidence and if so any recommendations for measures required for them to give their best evidence; and has capacity to consent to placement for adoption or the making of a placement order. The cost of the report shall be paid by [the parties equally] / [*name*].
2. On receipt of the expert evidence the parties may lodge a consent order providing for the appointment of a litigation friend for [*name*].
3. The court will otherwise determine [*name*]’s capacity to conduct the proceedings at the case management hearing if the expert evidence is available by that date.

## Interpreter/translation

1. The court must arrange for [*number*] interpreter[s] fluent in [*language and dialect*] to attend all future hearings. The interpreter must attend 1 hour prior to the listed time.
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. If it has not already done so the local authority must by 4.00pm on [*date*] serve on [*name*] translations into language[s] they will understand of the documents upon which the local authority relies to support any allegations made and which explain why the local authority seeks the order[s] it has applied for.

## Joinder of father without parental responsibility

1. [*Name*] is believed to be the father of [*name(s)*] but is not named on the child[ren]’s birth certificate. Unless by 4.00pm on [date] any party sends to the local authority objection to [*name*] being joined as party to the proceedings, he shall be joined as party without further order and the local authority must send to him the documents served on the other parties [redacted as to [*insert*] [but limited to [*insert*]].
2. [*Name*] must so far as practicable comply with the requirements of this order.
3. If any party objects to [*name*] being joined as party the local authority must give him notice of the case management hearing so that he may attend and the question whether he should be joined can be considered at that hearing.

## Jurisdiction issues

1. It appearing there may be an issue as to jurisdiction, the parties must consider the issue of jurisdiction as a matter of urgency and unless the making of such an enquiry may risk the safety of any of the parties to the proceedings or their relatives the local authority must forthwith request of the relevant consular authority in England & Wales or competent authority in the relevant State relevant information needed to decide issues of jurisdiction with a view to that information being available before the case management hearing.



**(where the child(ren) is/are foreign nationals)**

1. Unless the making of such an enquiry may risk the safety of any of the parties to the proceedings or their relatives the local authority must by [*date*] inform in writing the consular authority of [*State*] of the existence of these proceedings, the date of the next hearing and invite any representations to be made to the court by [*date* **(day before advocates’ meeting)**].

## Other proceedings

1. If any party seeks disclosure of proceedings in which there are parties other than the parties to this case, they shall apply on notice to all persons who may be affected not later than 4.00pm on [*date*].
2. The application for disclosure of those proceedings into these proceedings shall be listed for determination at the case management hearing.
3. If all parties to the other proceedings consent to disclosure of those proceedings into this matter, the parties in this case shall lodge a consent order forthwith.

**(where there have been previous private or public law proceedings involving the same parties)**

1. The files in case number[s] [*case no.(s)*] must be available to the court at the case management hearing so that appropriate disclosure from those proceedings can be considered. The advocates must agree a list of documents, for approval by the court at the case management hearing, which are to be disclosed into these proceedings.

## Production order

1. A separate production order has been made.

## Urgent hearing

1. The local authority’s request for an urgent hearing to consider an interim care order and removal is refused as the court is not satisfied that sufficient evidence of urgency has been shown [and the application to abridge time for service is refused].
2. Time for service of notice of the proceedings is [not] reduced from 3 days to [*period*] because [*insert*].
3. There will be an [interim care] / [urgent case management] hearing at The Family Court sitting at [*court name*] on [*date*] at [*time*] allowing [*hours/days*]. The parties and advocates shall attend 1 hour prior to the listed time for pre-hearing discussions.