

THE HONOURABLE MR JUSTICE KEEHAN
LEAD FAMILY PRESIDING JUDGE

16 February 2026

Dear all,

In November 2024, the Family Executive Team, which I chair on behalf of the President of the Family Division, established the Short Notice Applications Working Group. At the time, short notice applications made up more than 60% of all Public Law cases and the group was tasked with considering the reasons for these types of applications and their handling at the gatekeeping stage, with the aim of reducing the number of short notice applications.

For the purposes of this consultation and in accordance with the Public Law Outline (PLO), all applications made before day 12 are considered as urgent/short notice.

The Short Notice Application Working Group is comprised of Court of Appeal, High Court, Circuit and District judges. In addition to judicial members, there are representatives from HMCTS, Cafcass, Cafcass Cymru, the Department for Education, Local Authority lawyers, the Nuffield Family Justice Observatory, the Chief Social Worker for Children and Families (England) and academics.

It is with thanks to this cross-sector collaboration, breadth of professional expertise, and the time and commitment of the Working Group that the Guidance, Newborn Baby Protocol and Template Orders have been drafted.

This Guidance aims to reduce the number of urgent applications and introduce a more consistent, timely and proportionate approach to gatekeeping and case management by the court.

It is grounded in the shared ambition of all those involved in family justice, local authorities, the courts, Cafcass, health services, and legal representatives, to uphold children's rights, ensure a fair process, and promote better outcomes for children and their families.

Given the high proportion of urgent applications involving cases relating to newborn babies, and implications for full parental participation post birth, a protocol on dealing with such cases is included.

As part of this work, we invite your views on the following documents.



JUDICIARY OF
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Consultation Questions

1. **Annex A: Family Court Short Notice Application Guidance: Allocation and Gatekeeping Protocol for urgent Public Law Applications**

This document is to assist members of the Judiciary, the Allocation and Gatekeeping Teams and the Administration Teams in exercising the Allocation and Gatekeeping functions for urgent applications, which is required as part of the Family Court allocation and listing process.

- a. Is there anything that needs to be clarified in the document?
- b. Is there anything else that the document should cover?
- c. Is there anything that could be improved?

2. **Annex B: Newborn Baby Protocol**

His Honour Judge Steven Parker (Designated Family Judge for Cheshire and Merseyside) and District Judge Philip O'Neill, worked with representatives from the nine local authorities in Cheshire and Merseyside and safeguarding leads from all hospitals which have a maternity unit to create a Newborn Baby Protocol. This local document has been redrafted by HHJ Parker to be adopted nationally. While DFJs retain flexibility in local implementation, adherence to the Newborn Baby Protocol is recommended to maintain national consistency.

- a. Is there anything that needs to be clarified in the document?
- b. Is there anything else that the document should cover?
- c. Is there anything that could be improved?
- d. Are there any barriers to implementing the Protocol?

3. **Annex C: Template Orders**

The following Template Orders have been drafted:

1. Public Law Directions made at end of urgent ICO hearing
2. Public Law Directions on Issue and Allocation (standard listing)
3. Public Law Directions on Issue Urgent Hearing

- a. Are the Template Orders comprehensive and adaptable to different case types?
- b. Is there anything else that should be included in the Template Orders?

The President of the Family Division has approved the final drafts of the documents. The consultation is open until Monday 13 April at 5pm. Consultees do not need to answer all questions if only some are of interest or relevance.

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All responses should be submitted through [Consultation on Short Notice Applications documents – Fill in form](#).

We would prefer that responses are limited to 4,000 characters (around 650 words). If you wish to submit a longer response or have any questions, please contact the Judicial Office at jostrategyandmodernisation@judiciary.uk.

I, together with the President of the Family Division, will be hosting a webinar on 26 February at 4:45pm. The session will provide an opportunity to learn more about the development of the consultation documents, the work of the Short Notice Applications Working Group, and to ask any questions you may have.

We will be joined by:

- HHJ Parker (DFJ for Cheshire and Merseyside) and DJ O'Neill, who authored and implemented the original Newborn Baby Protocol
- Professor Karen Broadhurst (Lancaster University)
- Lisa Harker (Nuffield Family Justice Observatory)
- Kaat de Backer, specialist perinatal midwife and academic fellow at King's College London

We hope you will be able to join us. If you would like to register for the webinar, please do so here: <https://events.teams.microsoft.com/event/d616c21e-3647-46ad-ab4c-f045f13c1ceb@c6874728-71e6-41fe-a9e1-2e8c36776ad8>

Best wishes,

The Hon. Mr Justice Keehan

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HM Courts & Tribunals Service

Family Court Short Notice Application Guidance **Allocation and Gatekeeping Protocol for urgent Public Law Applications**

This document is to assist members of the Judiciary, the Allocation and Gatekeeping Teams and the Administration Teams in exercising the Allocation and Gatekeeping functions required as part of the Family Court allocation and listing process.

In this document, *Judge/Judiciary* refers to all Judicial Office Holders including Magistrates.

This Guidance is to be read with the Public Law Outline ('PLO'), and the Family Allocation and Listing Guidance.

PRINCIPLES

- ***Listing is a judicial function. Where a case is not considered urgent, the judge will decline to list it urgently and the application will be given a listing between days 12-18. The court will be rigorous in refusing to deal with cases that do not meet the criteria of urgency.***
- ***Applicants for short notice listings will be required to justify with evidence why a case requires a short notice listing. Applicants must clearly set out in their application details of why the case meets the criteria for urgency, and the listing proposed. Applicants must always provide full contact details, including a telephone number that will be answered in the event the court needs to check a detail.***

RECEIPT AND ISSUE OF APPLICATIONS

- In accordance with the Revised Public Law Outline, Day 1 is the day of receipt and issue and whilst the HMCTS business hours for accepting applications are from 10.00 until 16.00 Local Authorities should submit their applications, wherever possible, before 2pm on Day 1.
- Any application received after 4pm will normally be processed by the Court the next business day.

- Any decision to agree or refuse a short notice or emergency listing will be dealt with by the gatekeeping team BUT **MUST** be referred to a judge who will make the decision in consultation with the Legal Adviser.
- If the gatekeeper does not agree with the local authority's position on allocation and urgency, the case will be given a standard listing.
- Same day emergency hearing requests should be truly exceptional.
- If a short notice hearing is sought prior to Day 12, then the Local Authority should provide the reasons for this within the C110A application form and provide clear evidence as to the reasons, along with information to assist with listing the hearing.
- All the required documents must be uploaded/filed with the application.
- The Allocation proposal must be fully completed with specific case sensitive reasons provided.
- The fact that an application made during court business hours fulfils the criteria for urgency and justifies a same day hearing does not absolve the applicant from presenting that application in a timely manner.
- Ordinarily, any urgent application made during court business hours should be ready to come before the Judge **no later than 2pm**. In any event, any urgent application requesting a same day hearing and made during court business hours **must be ready** to come before the Judge for hearing **no later than 4pm**. If the parties are not **ready to proceed** at hearing by **4pm at the latest**, then the application must be presented to Urgent Court Business Out of Hours service or await a hearing on a subsequent day.
- All courts must have in place a clear agreed process for dealing with urgent applications seeking a same day hearing which are made after 4pm, and instructions for the local authority on how to contact the out of hours emergency service.
- The Urgent Court Business service operates out of hours between 4.00pm and 8.30am Monday to Friday and from Friday at 4.00pm to Monday at 8.30am each weekend.
- Any application that fulfils the criteria for urgency and justifies a same day hearing but has not been made by 4.00pm **must** be made to the Urgent Court Business service and will be dealt with out of hours.
- The application must be accompanied by a statement which includes an explanation of why the case is said to meet the criteria for urgency and justify a same day hearing together with a draft of the order sought in Word format.

Cases should be considered as follows:

(1) Standard notice.

Where listing only for CMH with no short notice hearing; 12-18 days.

The expectation is that most cases can be listed to a CMH without an interim short notice hearing.

(2) Short notice (within 5 days).

Where the case requires a CMH with an interim hearing prior to the CMH

The reasons for an urgent interim (not same day) hearing may include (but are not limited to) cases where without immediate protective orders a child's safety would be compromised.

These cases will be listed within 5 days of issue; anything which is not so urgent as to justify listing within 5 days will be listed on Day 12.

(3) Emergencies (including same day hearings)

The reasons for seeking a same day hearing will be that the case merits a short notice hearing but even a day's delay would mean that a child's **immediate** safety would be compromised, and the facts demand that the court intervenes immediately. Such cases are likely to meet the criteria for emergency protection orders. The expectation is that it would be extremely rare for an application to be made for a same day hearing. Local Authorities and gatekeepers should bear in mind the requirements for emergency proceedings under FPR 2010, Section 44 CA 1989 and the caselaw ([Children Act 1989](#))

All care centres are encouraged to operate a Newborn Infant protocol (for example, Cheshire and Merseyside's Newborn Baby Protocol).

If circumstances change between issue/allocation and CMH such that the Local Authority now seeks a same day/urgent hearing, a C2 setting out clear reasons for that should be submitted.

All courts must provide specified email addresses/telephone numbers for urgent communication and parties must inform the hearing centre, in addition to CTSC if there is an Emergency or short notice hearing sought.

If an urgent hearing has taken place, the court will still list a Case Management Hearing between days 12-18.

Monitoring of short notice applications.

Data about the nature and number of short notice applications will be captured (in accordance with these guidelines) and made available to each DFJ or their nominee.



THIS IS A PRACTICE NOTE TO INTRODUCE THE 2026 PROTOCOL FOR CASES INVOLVING NEWBORN BABIES IN THE FAMILY COURT

His Honour Judge Steven Parker, the Designated Family Judge for Cheshire and Merseyside, and District Judge Philip O'Neill, Senior Family District Judge, led a Working Group involving all nine local authorities and safeguarding leads from all hospitals which have a maternity unit across Cheshire and Merseyside. The Working Group sought to achieve greater involvement and input from the health sector in the formulation of a new Protocol and to improve the pre-existing model. This work is now complete and as a result the new 2025 Protocol for Cheshire and Merseyside has been drafted.

This template has been adapted by the Family Executive Team, chaired by Mr Justice Keehan, from the Cheshire and Merseyside Protocol to be applied across the Family Court. It is recommended that this Protocol is applied in partnership with local authorities and safeguarding leads from local maternity units.

PROTOCOL

- 1 Referrals to social services should be received from health (predominantly midwifery services) at the latest, as soon as the pregnancy is confirmed as viable (usually around 12 weeks gestation). Where there is local agreement for referrals to be made sooner, then that local agreement should continue to be followed.
- 2 A single assessment by social services will consider the pre-birth position.
- 3 The pre-birth assessment should be completed by week 30 which outlines any key concerns and the tracking of options being considered. This recognises that different local authorities have different positions about an initial child protection conference ('ICPC'), but all local authorities will be expected to complete this by week 30.
- 4 The Public Law Outline ('PLO') should be started as soon as possible and by week 30 at the latest where there is an indication that care proceedings may be initiated at birth. The local authority should commence this earlier if possible and there are grounds/evidence to do so. The first Pre-Proceedings Meeting ('PPM') should be held as early as possible.
- 5 Any solicitors instructed by the parents will be expected to consider kinship carers with the parents at an early stage and to communicate with the local authority to identify potential carers as soon as possible.

- 6 A Family Group Conference or Family Decision Making Meeting should be held at the earliest opportunity and by week 30 at the very latest to assist with identifying potential alternative carers.
- 7 A full pre-birth / parenting assessment leading to proceedings should capture all work and intervention up to week 36 (this only gives 6-8 weeks from ICPC). This written assessment must outline local authority care plans at birth.
- 8 The parents should be informed of the likely local authority plan no later than week 36. This discussion should take place at a pre-proceedings meeting. The completed pre-birth assessment should be shared with the parents and their solicitor(s) in advance of this meeting.
- 9 At this meeting, discussions should take place regarding the format of the future hearing, and any views that the Local Authority and parents have in respect of this, to inform the Local Authority's subsequent application. The views of the hospital safeguarding lead on the nature of the parents' participation at any hearing should also be obtained outside of the meeting.
- 10 Following this, during week 36 of the pregnancy, a copy of the post-birth plan should be shared with the hospital. This should include information regarding the Local Authority's plan to issue proceedings, what type of hearing is anticipated, the support that the parents will need to participate and who will care for the baby if the parents must leave hospital to attend a hearing. It should also clearly set out any steps to be taken in the event of emergency e.g. should parents seek to leave the hospital with the baby prior to the hearing.
- 11 The local authority must give notification to CAFCASS of a planned issue case by week 36, once they have had the first meeting with the parents to gain consent to notify. The local authority should complete the template attached and provide an outline timescale for issue where consent is obtained through the pre-proceedings process. The template should be sent under cover of an email stating that the template is provided pursuant to the 2026 Newborn Baby Protocol. Notifications should be sent to [INSERT LOCAL CAFCASS EMAIL ADDRESS].
- 12 The pre-birth Pre-Proceedings Meeting should be face to face wherever possible to ensure fair engagement with the parents.
- 13 It is recognised that concealed or late presentation of pregnancy will impact on the above timescale. General principles will still apply, and such cases will still be front-loaded as far as possible.
- 14 The local authority should give notification to the court when the birth is imminent by sending the attached completed template to [EMAIL ADDRESS] under cover of an email identifying that this is a notification of an impending birth pursuant to the 2026 Newborn Baby Protocol.
- 15 Following the baby's birth, the hospital through the safeguarding lead, should endeavour to give the Local Authority through the allocated social worker or team

manager details of when they foresee the baby being medically fit for discharge. Any changes in respect of this should be communicated in a timely manner.

- 16 The local authority should issue proceedings on the day of birth, or if the mother gives birth outside working hours, by 12 noon the following working day. The local authority should not wait until the baby is medically fit for discharge.
- 17 The pre-birth assessment should be submitted with the C110A. A concise updating social work evidence template ('SWET') must follow as soon as possible, and in any event allowing sufficient time for the representatives for the parent(s) and children's guardian to take instructions. The SWET can refer to the pre-birth assessment rather than repeating its contents and should deal essentially with updating information and interim care planning. The SWET should not normally exceed 8 sides of A4 paper.
- 18 If the local authority seeks an urgent hearing there should be a concise statement of the reasons why, provided either in the C110A or in an accompanying document so that the judge and legal adviser who are allocating and gatekeeping the case have sufficient material to make the necessary decisions.
- 19 The local authorities will continue to work with hospitals to encourage a proportionate approach to discharge of the newborn child(ren), that allows for collaborative approaches to the timing of notification and progress of care proceedings.
- 20 The hospital safeguarding lead should be informed of the date for the initial court hearing at the earliest opportunity by the local authority allocated social worker or team manager.
- 21 Should the hospital be unable to continue to care for the baby in hospital until this date, the hospital safeguarding lead or their nominee must clearly inform the allocated social worker or their team manager or emergency duty team at the Local Authority the date and time by which the baby must be discharged from hospital, and the reasons for this, so that the Local Authority can consider the need to seek an urgent hearing.
- 22 If the local authority seeks a same day hearing they should provide written evidence from the hospital of the following:
 - a) that the hospital confirms that the baby is medically fit for discharge:
 - b) that it is not possible to keep the baby in hospital any longer to avoid a same day hearing, giving reasons why.
- 23 The local authority shall set out in its C110A whether it asks for an attended hearing or a hybrid/remote hearing.
- 24 Where the hearing is to take place virtually or as a hybrid hearing, the parents' solicitor(s) should attend the hearing virtually from the same location as the parent (e.g. from the hospital if the mother remains an inpatient).

- 25 The hospital shall, if reasonably practicable, provide a private room for the parents to use for any remote participation in a hearing.
- 26 The parents' solicitors shall provide a laptop to enable the parents to participate in any hearing remotely from hospital.
- 27 The contact details for all hospital safeguarding leads will be sent to the court for the use of the judiciary, court staff and legal professionals to enable direct communication where necessary. Updated contact details for all hospital safeguarding leads must also be provided to the local authorities.
- 28 Any communication from the court or legal professionals to ascertain a baby's fitness for discharge, and whether discharge could be delayed until a proposed court hearing, should go through the safeguarding lead at the hospital and not direct to midwifery staff on the ward.

Template

Notification to Court/Cafcass when Birth is Imminent

Pursuant to the 2026 Newborn Baby Protocol.

Names of local authority and parent(s)	
Expected Due Date and current hospital.	
Any health issues identified/anticipated for the child upon birth which may impact upon the potential discharge date of the baby.	
Matters agreed or contested hearing likely to be required.	
Urgent Hearing Likely to be required? If so, set out urgency criteria in bullet point format.	
Any previous or ongoing proceedings concerning the family? If so, case number & Judge, children's guardian, and identify the next hearing date if known.	
If not, level of Judge proposed <ul style="list-style-type: none">• Any factors affecting litigation capacity?• Any international elements?	
Is an interpreter required?	



In the Family Court
sitting at **[Court name]**

Case No: **[Case number]**

**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]** at **[an urgent hearing of an application for [an] interim care order[s] / [a preliminary case management hearing].**

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

The parties: The applicant is **[local authority]** represented by **[name]** **[of counsel]** **[instructed by [name of solicitor]]** whose contact details are **[solicitor firm name]**, **[solicitor's telephone number]**, **[solicitor's email address]**.

The 1st respondent is **[name]**, the **[relationship to child]**, represented by **[name]** **[of counsel]** **[instructed by [name of solicitor]]** whose contact details are **[solicitor firm name]**, **[solicitor's telephone number]**, **[solicitor's email address]**.

The 2nd respondent is **[name]**, the **[relationship to child]**, represented by **[name]** **[of counsel]** **[instructed by [name of solicitor]]** whose contact details are **[solicitor firm name]**, **[solicitor's telephone number]**, **[solicitor's email address]**.

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]** **[instructed by [name of solicitor]]** whose contact details are **[solicitor firm name]**, **[solicitor's telephone number]**, **[solicitor's email address]**.

Important Notices

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.

Reporters in the Family Court

It may be that reporters from the press will be present during any hearing you attend. They will not be able to report names or identifying information about the parties or any children involved. The court may also restrict other details from being reported. Further information is available from the court.

Alternative carer nomination warning

The court will only allow the parents to nominate anyone else to be assessed as alternative carers later than directed by this order in exceptional circumstances.

IT IS DECLARED THAT:

1. The court in England and Wales has jurisdiction in relation to the child[ren] on the basis that:
(PLEASE SELECT THE APPROPRIATE PARAGRAPH FROM LIST A. TO D. BELOW)
 - a. the child[ren] [is] / [are] habitually resident in the jurisdiction of England and Wales.
 - b. the child[ren] [was] / [were] habitually resident in the jurisdiction of England and Wales immediately before they were wrongfully removed or retained, and they have not acquired a new habitual residence in another Member State and satisfied the conditions in Article 7 (a) or (b) of the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children.

- c. this is a case of urgency, and the court is taking necessary measures of protection in respect of the [child[ren] who [is] / [are]] / [property belonging to the child[ren] which is] present in England and Wales.
- d. [insert other basis of jurisdiction].

AND IT IS ORDERED THAT:

Next hearing

2. There shall be a case management hearing at the Family Court sitting at [court name] at [time] on [date – on day 12 to day 18] before [name of judge] allowing [number] hours. The parties and advocates shall attend 1 hour prior to the listed time for pre-hearing discussions.
3. If the parents fail to attend the hearing without good reason, the Court may make orders in their absence.
4. The parents shall attend all hearings and their reasonable travel expenses to and from court shall be a disbursement on their legal aid certificates.
5. The children's guardian shall attend this hearing unless they have a prior professional commitment and have been excused at the time the case management hearing is fixed or by prior agreement with the Court.

Interim care order

6. In the interim [name(s) of child(ren)] are placed in the care of the local authority for the duration of these proceedings or until further order.

Interim supervision order

7. In the interim [name(s) of child(ren)] are put under the supervision of the local authority for the duration of these proceedings or until further order.

Advocates' Meetings

8. The child[ren]'s solicitor shall arrange an advocates' meeting not later than two days before the next hearing. The advocates' meeting should be attended by the advocates who will appear at the hearing to which the meeting relates.
9. Not later than 11.00am on the day before the next hearing, the child[ren]'s solicitor shall file at court (in the position statements tab on the FPL) and serve on the parties the minutes of the advocates' meeting, which must not be a verbatim transcript and should be a succinct summary of the parties' positions on the issues discussed.
10. If the minutes of the advocates meeting are able to set out the positions of all parties, then there is no need for each party to also file position statements. Otherwise, it is expected that position statements will be lodged not later than 11.00 on the day before the hearing.

Case summary and draft CMO

11. The local authority must by 11.00am on the day before the case management hearing file at court and serve on the parties a case summary which must be up

to date and not include matters which are no longer relevant, and draft case management order.

Children's guardian's analysis

12. The child[ren]'s guardian must by 11.00am on the day prior to the case management hearing file at court and serve on the parties an initial case analysis.

Non-compliance with Pre-proceedings Checklist

13. The local authority shall by 4.00pm on *[date not later than 5 days before the case management hearing]* file at court and serve on the parties:
(ONLY INCLUDE RELEVANT PROVISIONS)
 - a. A social work chronology;
 - b. A genogram;
 - c. The current assessments relating to the child and/or the family and friends to which the social work statement refers and on which the Local Authority relies;
 - d. Care plan(s);
 - e. An index of Checklist Documents, with any evidential checklist documents.

Assessment plan

14. The local authority shall by not later than 4.00pm on *[date not later than 5 days before the case management hearing]* file at court and serve on the parties an assessment plan setting out the assessments (including alternative carer assessments) which have already been completed and a timetable for any other assessments.

Parents' response

15. *[Names]* shall each by 4.00pm on *[date not later than 3 days before the case management hearing]* file at court (in the Threshold tab on the FPL) and serve on the parties their Parents' Response which must include:
 - a. their substantive response to the threshold statement; and
 - b. their placement proposals (both in the immediate and long term) including the identity and whereabouts of all relatives and friends they propose be considered by the court.
 - c. Information which may be relevant to a person's capacity to litigate including information about any referrals to mental health services and adult services.
16. When responding to the threshold statement, the response must set out:
 - a. the matters which are accepted;
 - b. the matters which are disputed, and the basis upon which they are disputed; and
 - c. whether it is accepted that the section 31 threshold is met.
17. 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.

18. The full contact details (phone number, address and email address) for any proposed alternative carer must be included in the Parents' Response. If these details are available earlier than the date to file the statement, then they shall be sent to the local authority by email as soon as possible and no later than the advocates' meeting. The parents must confirm if they have discussed the matter with the person(s) nominated.
19. If the parents fail to respond **[to the schedule of findings in support of the threshold criteria]**, the court may proceed to consider **[at the next hearing] / [at the IRH] / [at the final hearing]** whether the section 31(2) Children Act 1989 threshold criteria are established by reference to the written evidence filed by the local authority.

Parents' Initial Statement

20. **[Names]** shall by 4.00pm on **[date not later than 3 days before the case management hearing]** file at court and serve on the parties a statement (as a separate document to the Parents' Response) setting out:
 - a. a response to the local authority's evidence to date;
 - b. any other matters relevant to the issues before the court and the welfare of the child**[ren]**.
 - c. where a family group conference (FGC) has not yet taken place, whether they agree to a FGC taking place that includes all relevant family members as recommended by the local authority, and who they would wish to be present.
 - d. If the father of any of the children is not yet joined as a party to these proceedings, or they believe the local authority may not have his contact details, the name, date of birth and all contact details that they are aware of in relation to that father, including where possible his parents' details, and any workplace that may assist in finding him, together with details of when he last saw the child**[ren]** and his involvement in their life.
 - e. **[In respect of each alleged injury:**
 - i. whether they accepted that the injury is inflicted;
 - ii. any explanation(s) they wish to advance for the causation of the injury, which should include how and when the injury was caused; and
 - iii. who they say is responsible for the injury and why.
 - f. **A history of their involvement with the child**[ren]** in the 2 weeks before the injuries were discovered, and who else had care of the child.]**

[WARNING: The court expects any explanations for the injuries to be advanced as soon as possible, and may draw adverse conclusions if an explanation that has not been advanced before is advanced later in the proceedings without good reason.]

Local authority identification of alternative carers and further assessment

21. The local authority shall not later than 4.00pm on **[date not later than 2 days before the case management hearing]** file at court and serve on the parties a statement dealing with the following:

- a. If not already included in the genogram filed with the application, a genogram (which should be as detailed as possible) of the relevant family setting out all the relatives and connected persons the local authority is aware of;
 - b. By reference to the genogram, what alternative relative or connected persons have been approached to consider short or long-term care for the child(ren);
 - c. What each individual's response was and whether the same is confirmed in writing; and
 - d. In respect of any connected persons not yet assessed who wish to be assessed, what are the dates by which they will file the viability and/or assessments of them as foster carers and special guardians.
22. The above direction does not relieve the local authority of its duty to proactively investigate relative carers/connected individuals as alternative carers for children at genuine risk of being removed from the care of their parents in the short or long term.
 23. If any of the existing viability or full assessments of alternative carers is negative, if it has not already done so the local authority shall write to the person assessed informing them how they may apply to the court to challenge that assessment, the date and time of the case management hearing, and that they must attend that case management hearing and have issued any application they seek to make prior to that date.

Disclosure

24. 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.
25. 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]**.
26. 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.
27. Any disclosure made in these proceedings is confidential and may not be disclosed to any third party without the court's permission.

Disclosure of other proceedings

28. 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]**.
29. The application for disclosure of those proceedings into these proceedings shall be listed for determination at the case management hearing.

30. 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)

31. 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.

Police Disclosure

32. By 2pm on [date], the local authority shall [file at court and] serve on the parties the police disclosure received pursuant to the protocol request in a paginated format.

Health Visitor Evidence

33. By 2pm on [date], the local authority shall file and serve a health visitor statement with respect to the relevant child(ren) setting out:
- a. the child's health;
 - b. parental engagement;
 - c. any welfare concerns regarding the child(ren) recorded or observed; and
 - d. any other matter relevant to the child(ren)'s welfare.

Immigration Information

34. The Court has made a separate order requesting immigration information from the Home Office in respect of [names].

Experts

35. Any party intending to seek permission to instruct an expert must make such application not later than 2 days in advance of the case management hearing and must comply with the requirements of FPR 25 and PD 25C.

Residential assessment

36. Any party proposing a residential assessment may disclose the case papers to any proposed provider for the purpose of viability assessments and shall by no later than 2 days before the advocates' meeting issue their application and file at court and serve on the parties details of any proposed providers and copies of any viability assessments received.

Family Group Conference

37. The local authority shall by 4.00pm on [date] file at court and serve on the parties a statement setting out either the date and time of the Family Group Conference or explaining why it is not proposed to hold one in this matter.
38. The local authority has permission to disclose the court bundle to the Family Group Conference coordinator for the purpose of preparing the report for the Family Group Conference. Permission is given for that report to be disclosed to the family members attending the conference.

39. The local authority shall file at court and serve on the parties the minutes of the Family Group Conference not later than 14 days after the conference is held.

Birth Certificates

40. The local authority shall, by no later than the case management hearing, file at court and serve on the parties copies of the child[ren]'s birth certificate[s].
Where the birth has not yet been registered, the local authority shall file a copy of the child's birth certificate as soon as the birth has been registered.

Forward planning

41. The local authority shall have available at the case management hearing information in respect of any appropriate parallel planning, including the following:
- a) In the event of a plan for placement with a connected person, the date by which the report will be filed, confirmation that preliminary steps have been taken to seek the health reports, references and DBS checks in respect of the connected person and the target panel date;
 - b) In the event of a possible plan for adoption, confirmation that preliminary steps have been taken to arrange the permanence medical and a target date for the decision of the Agency Decision Maker (ADM).

Participation directions

42. The Court has concluded that there are currently no parties or witnesses for whom it is necessary to make participation directions because 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.
(OR)
The Court considers that it may be necessary to make participation directions in respect of a party or witness.

43. Any party seeking specific measures to enable them to understand the proceedings or participate effectively in the proceedings shall lodge an application as soon practicable which sets out clearly why such measures are sought, together with any evidence the party relies on in support of their application which must set out:
- a. why the party or witness would benefit from assistance;
 - b. the measure or measures that would be likely to maximise as far as practicable the quality of their participation and/or evidence and why; and
 - c. written confirmation from any relevant witness of his/her views.
44. The court has concluded that [name] is a [vulnerable] / [protected] party and that their participation in the proceedings is likely to be affected because:
- a. it is alleged that [name] is the victim of domestic abuse;
 - b. 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;
 - c. [insert other reason]

45. *[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:
- the quotation must be sent to HMCTS for the attention of the court manager by *[date]*;
 - HMCTS must confirm acceptance of the quotation and payment of intermediary services within 7 days after receipt of the quotation;
 - the case shall be listed for a *[FCMH]* / *[ground rules hearing]* / *[IRH]* at *[time]* on *[date]* allowing *[time estimate]*;
 - [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;
 - 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.
46. 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 no.]*' 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:
- provide separate entrances to, and waiting areas in, the court building for *[name(s)]*;
 - prevent *[name]* from seeing *[name]* whilst within the court building or its precincts;
 - 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;
 - security and the court staff must liaise to make sure that the parties do not meet except when they are in the hearing room;
 - neither party is to approach the other directly;
 - allow *[name]* to participate in hearings and give evidence:
 - by live link;
 - by a recording made *[and transcribed at the expense of [the parties equally] / [name(s)]]* in advance of the hearing;
 - with the aid of a *[signer]* / *[insert]*;
 - by use of evidence already given in other proceedings, namely *[specify]*;
 - [insert]*.
 - provide for *[name]* to:
 - use a *[identify aid]* to help communicate;
 - participate in proceedings with the assistance of an intermediary;
 - be questioned in court with the assistance of an intermediary;
 - provide for all hearings to take place in a courtroom;
 - ensure in relation to any questioning of *[name]* that:
 - questions or topics are agreed prior to the hearing;
 - any questions that *[can be]* / *[have been]* put by one advocate may not be repeated by another without the court's permission;

- iii. questions may be put by [one advocate] / [the judge] only;
- iv. [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];
- j. [insert].

Documents and bundles

- 47. 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.
- 48. Court bundles must be prepared and lodged at court in accordance with Practice Direction 27A.
- 49. Permission is [not] given for the court bundle to exceed 350 pages [limited to [number] pages].
- 50. The local authority must provide a witness bundle for any hearing at which evidence is to be called.

Variation of orders

- 51. Any application to vary this or any other order is to be made to the allocated judge on notice to all parties. The party seeking variation must seek the prior agreement of the other parties to the variation and shall submit a draft order in word format and confirm whether:
 - a. the proposed variation is agreed; and, if so
 - b. to what extent the proposed variation would affect the timetable for the proceedings.

SCHEDULE

Family Advocacy Scheme (FAS)

- 1. The court records the following information for the purposes of the Family Advocacy Scheme (FAS):
 - a. the advocates met for pre-hearing discussions between [time] and [time];
 - b. the hearing started at [time] and ended at [time];
 - c. the court allowed 1 hour thereafter for preparation and agreement of the order between [time] and [time];
 - d. [name of advocate] is entitled to a bolt on because they are representing a client who is facing allegations that they have caused significant harm to a child which have been made or adopted by the local authority and are a live issue in proceedings;
 - e. [name of advocate] is entitled to a bolt on because they are representing a person who has difficulty in giving instructions or understanding advice;
 - f. all advocates are entitled to a bolt on because an independent expert witness was cross-examined and substantially challenged by a party at the hearing; and
 - g. the advocates' bundle page count is [number].

Child[ren]'s current arrangements

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

Allocation

3. The proceedings are allocated to [name of judge].

Timetable for the proceedings

4. 26 weeks from the date of issue of these proceedings will expire on [date].

Timetable for the child[ren]

5. The key dates for the child[ren] are as follows:
 - a. [Moves of school] / [Start of new [school term] / [academic year]]: [dates]
 - b. [Medical] / [Psychological] treatment: [dates]
 - c. LAC reviews: [dates]

Threshold

6. The threshold criteria are [agreed] / [in dispute] / [in dispute subject to concessions made].
7. The court finds interim threshold pursuant to s.38 Children Act 1989 is met [as set out in the application/document dated [date]] / [in accordance with the judgment given today].

Key issues

8. The key issues in the case are:
 - a. [insert]

Parties' positions

9. The parties' positions are:
 - a. [insert]

Alternative carers

10. The following person[s] [is] / [are] identified as possible alternative carer[s]: [names(s)]
11. 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

12. The local authority sent an Annex 1 request for disclosure to [name of police force] on [date], the response to which is due on [date 20 working days after request made].
13. [Insert]

Dated [date]

ANNEX – ADDITIONAL ORDERS

Capacity

52. 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].
53. On receipt of the expert evidence the parties may lodge a consent order providing for the appointment of a litigation friend for [name].
54. 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

55. 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.
56. 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].
57. 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

58. [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]]].
59. [Name] must so far as practicable comply with the requirements of this order.
60. 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

61. 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)

62. 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)]**.

Production order

63. A separate production order has been made.



In the Family Court
sitting at **[Court name]**

Case No: **[Case number]**

**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.

Reporters in the Family Court

It may be that reporters from the press will be present during any hearing you attend. They will not be able to report names or identifying information about the parties or any children involved. The court may also restrict other details from being reported. Further information is available from the court.

Alternative carer nomination warning

The court will only allow the parents to nominate anyone else to be assessed as alternative carers later than directed by this order in exceptional circumstances.

The application form and annex documents have been considered by the Court which has given directions upon issue and allocation.

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 – on day 12 to day 18] 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 application(s) for interim [care] / [supervision] order(s) shall be determined at that hearing.
3. If the parents fail to attend the hearing without good reason, the Court may make orders in their absence.
4. The parents shall attend all hearings and their reasonable travel expenses to and from court shall be a disbursement on their legal aid certificates.

Transparency and Listing

5. The publicly available Court List shall identify this matter as follows:
Category C – Case within the reporting pilot.

6. The publicly available Court List shall identify the primary issues and/or allegations in this case using these numerical codes (numbers only to appear on the Court list):

Case Issues/Allegations

(ONLY INCLUDE RELEVANT CATEGORIES)

- 1 – Alleged neglect
- 2 – Alleged physical harm
- 3 – Alleged sexual harm
- 4 – Alleged emotional harm
- 5 – Alleged Domestic abuse
- 6 – Alleged FGM
- 7 – Alleged trafficking
- 8 – Deprivation of Liberty/Secure Accommodation
- 9 – Contact issues/prolonged period of no contact
- 10 – Factitious or induced illness
- 11 – Schooling
- 12 – Medical treatment
- 13 – Relocation (in jurisdiction)
- 14 – Relocation (out of jurisdiction)

Advocates' Meetings

7. The child[ren]'s solicitor shall arrange an advocates' meeting not later than two days before the next hearing. The advocates' meeting should be attended by the advocates who will appear at the hearing to which the meeting relates.
8. Not later than 11.00am on the day before the next hearing, the child[ren]'s solicitor shall file at court (in the position statements tab on the FPL) and serve on the parties the minutes of the advocates' meeting, which must not be a verbatim transcript and should be a succinct summary of the parties' positions on the issues discussed.
9. If the minutes of the advocates meeting are able to set out the positions of all parties, then there is no need for each party to also file position statements. Otherwise, it is expected that position statements will be lodged not later than 11.00 on the day before the hearing.

Case summary and draft CMO

10. The local authority must by 11.00am on the day before the case management hearing file at court and serve on the parties a case summary and draft case management order.
11. If removal of the child[ren] from the care of their family is sought by the local authority, then the local authority case summary must set out how it asserts the test is met for separation, and the local authority must also by not later than 11.00am 2 days before the hearing is listed, file at court and serve on the parties a skeleton argument or detailed position statement setting out how it submits that the test for removal is satisfied.

Allocation

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

Children's guardian's analysis

13. A children's guardian shall be appointed for the children.
14. The child~~[ren]~~'s guardian must by 11.00am on the day prior to the case management hearing file at court and serve on the parties an initial case analysis.

Non-compliance with Pre-proceedings Checklist

15. The local authority shall by 4.00pm not later than 5 days before the case management hearing file at court and serve on the parties:
- (ONLY INCLUDE RELEVANT PROVISIONS)**
- a. A social work chronology;
 - b. A genogram;
 - c. The current assessments relating to the child and/or the family and friends to which the social work statement refers and on which the Local Authority relies;
 - d. Care plan(s);
 - e. An index of Checklist Documents, with any evidential checklist documents.

Assessment plan

16. If not filed with the application, the local authority shall by not later than 5 days before the case management hearing file at court and serve on the parties an assessment plan setting out the assessments (including alternative carer assessments) which have already been completed and a timetable for any other assessments.

Parents' response

17. *[Names]* shall each by 4.00pm 3 days before the case management hearing file at court (in the Threshold tab on the FPL) and serve on the parties their Parents' Response which must only include:
- a. their substantive response to the threshold statement; and
 - b. their placement proposals (both in the immediate and long term) including the identity and whereabouts of all relatives and friends they propose be considered by the court.
 - c. Information which may be relevant to a person's capacity to litigate including information about any referrals to mental health services and adult services.
18. When responding to the threshold statement, the response must set out:
- a. the matters which are accepted;
 - b. the matters which are disputed, and the basis upon which they are disputed; and
 - c. whether it is accepted that the section 31 threshold is met.
19. 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.

20. The full contact details (phone number, address and email address) for any proposed alternative carer must be included in the Parents' Response. If these details are available earlier than the date to file the statement, then they shall be sent to the local authority by email as soon as possible and no later than the advocates' meeting. The parents must confirm if they have discussed the matter with the person(s) nominated.
21. If the parents fail to respond [to the schedule of findings in support of the threshold criteria], the court may proceed to consider [at the next hearing] / [at the IRH] / [at the final hearing] whether the section 31(2) Children Act 1989 threshold criteria are established by reference to the written evidence filed by the local authority.

Parents' Initial Statement

22. [Names] shall by 4.00pm 3 days before the case management hearing file at court and serve on the parties a statement (as a separate document to the Parents' Response) setting out:
- a. a response to the local authority's evidence to date;
 - b. any other matters relevant to the issues before the court and the welfare of the child[ren].
 - c. where a family group conference (FGC) has not yet taken place, whether they agree to a FGC taking place that includes all relevant family members as recommended by the local authority, and who they would wish to be present.
 - d. If the father of any of the children is not yet joined as a party to these proceedings, or they believe the local authority may not have his contact details, the name, date of birth and all contact details that they are aware of in relation to that father, including where possible his parents' details, and any workplace that may assist in finding him, together with details of when he last saw the child[ren] and his involvement in their life.
 - e. [In respect of each alleged injury:
 - i. whether they accepted that the injury is inflicted;
 - ii. any explanation(s) they wish to advance for the causation of the injury, which should include how and when the injury was caused; and
 - iii. who they say is responsible for the injury and why.
 - f. A history of their involvement with the child[ren] in the 2 weeks before the injuries were discovered, and who else had care of the child.]

[WARNING: The court expects any explanations for the injuries to be advanced as soon as possible, and may draw adverse conclusions if an explanation that has not been advanced before is advanced later in the proceedings without good reason.]

Local authority identification of alternative carers and further assessment

23. If not already in their initial evidence, the local authority shall not later than 2 days before the case management hearing file at court and serve on the parties a statement dealing with the following:

- a. If not already included in the genogram filed with the application, a genogram (which should be as detailed as possible) of the relevant family setting out all the relatives and connected persons of which the local authority is aware;
 - b. By reference to the genogram, what alternative relative or connected persons have been approached to consider short or long-term care for the child(ren);
 - c. What each individual's response was and whether the same is confirmed in writing; and
 - d. In respect of any connected persons not yet assessed who wish to be assessed, what are the dates by which they will file the viability and/or assessments of them as foster carers and special guardians.
24. The above direction does not relieve the local authority of its duty to proactively investigate relative carers/connected individuals as alternative carers for children at genuine risk of being removed from the care of their parents in the short or long term.
25. If any of the existing viability or full assessments of alternative carers is negative, if it has not already done so the local authority shall write to the person assessed informing them how they may apply to the court to challenge that assessment; the date and time of the case management hearing; and that they must attend that case management hearing and have issued any application they seek to make prior to that date.

Disclosure

26. 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.
27. 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]**.
28. 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.
29. Any disclosure made in these proceedings is confidential and may not be disclosed to any third party without the court's permission.

Experts

30. Any party intending to seek permission to instruct an expert must make such application not later than 2 days in advance of the case management hearing and must comply with the requirements of FPR 25 and PD 25C.

Residential assessment

31. Any party proposing a residential assessment may disclose the case papers to any proposed provider for the purpose of viability assessments and shall by no later than 2 days before the advocates' meeting issue their application and file at

court and serve on the parties details of any proposed providers and copies of any viability assessments received.

Family Group Conference

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

Birth Certificates

33. The local authority shall, by no later than the case management hearing, file at court and serve on the parties copies of the child[ren]'s birth certificate[s]. Where the birth has not yet been registered, the local authority shall file a copy of the child's birth certificate as soon as the birth has been registered.

Forward planning

34. The local authority shall have available at the case management hearing information in respect of any appropriate parallel planning, including the following:
- In the event of a plan for placement with a connected person, the date by which the report will be filed, confirmation that preliminary steps have been taken to seek the health reports, references and DBS checks in respect of the connected person and the target panel date;
 - In the event of a possible plan for adoption, confirmation that preliminary steps have been taken to arrange the permanence medical and a target date for the decision of the Agency Decision Maker (ADM).

Participation directions

35. The Court has concluded that there are currently no parties or witnesses for whom it is necessary to make participation directions because 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.

(OR)

The Court considers that it may be necessary to make participation directions in respect of a party or witness.

36. Any party seeking specific measures to enable them to understand the proceedings or participate effectively in the proceedings shall lodge an application as soon practicable which sets out clearly why such measures are sought, together with any evidence the party relies on in support of their application which must set out:
- why the party or witness would benefit from assistance;
 - the measure or measures that would be likely to maximise as far as practicable the quality of their participation and/or evidence and why; and
 - written confirmation from any relevant witness of his/her views.

Interpreter/translation

37. 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.
38. 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]*.
39. 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.

Bundles

40. The local authority must by 11.00am on the day before the hearing lodge an agreed and paginated bundle to comply with PD 27A.

Dated *[date]*

ANNEX – ADDITIONAL ORDERS

Urgent hearing refused

41. 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]*.

Capacity

42. 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]*.
43. On receipt of the expert evidence the parties may lodge a consent order providing for the appointment of a litigation friend for *[name]*.
44. 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.

Joinder of father without parental responsibility

45. *[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]].

46. [Name] must so far as practicable comply with the requirements of this order.
47. 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

48. If 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)

49. 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

50. 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].
51. The application for disclosure of those proceedings into these proceedings shall be listed for determination at the case management hearing.
52. 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)

53. 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

54. A separate production order has been made.



In the Family Court
sitting at [Court name]

Case No: [Case number]

**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.

Reporters in the Family Court

It may be that reporters from the press will be present during any hearing you attend. They will not be able to report names or identifying information about the parties or any children involved. The court may also restrict other details from being reported. Further information is available from the court.

The application form and annex documents have been considered by the Court which has given directions upon issue and allocation.

IT IS ORDERED THAT:

Next hearing

1. There shall be an urgent [preliminary case management hearing] / [hearing to determine the application for interim care order(s) / interim supervision order(s)] at the Family Court sitting at [court name] at [time] on [date] before [name of judge] allowing [2 / number] hours. The parties and advocates shall attend 1 hour prior to the listed time for pre-hearing discussions.
2. If the parents fail to attend the hearing without good reason, the Court may make orders in their absence.
3. The parents shall attend all hearings and their reasonable travel expenses to and from court shall be a disbursement on their legal aid certificates.
4. The parties are directed to discuss, if the listing of the hearing permits, any directions that will be applied for, whether any part of the hearing will be contested and the length of the hearing, and the local authority shall inform the Court in their case summary of the agreed or different positions of the parties.

Transparency and Listing

5. The publicly available Court List shall identify this matter as follows:
Category C – Case within the reporting pilot.

6. The publicly available Court List shall identify the primary issues and/or allegations in this case using these numerical codes (numbers only to appear on the Court list):

Case Issues/Allegations

(ONLY INCLUDE RELEVANT CATEGORIES)

- 1 – Alleged neglect
- 2 – Alleged physical harm
- 3 – Alleged sexual harm
- 4 – Alleged emotional harm
- 5 – Alleged Domestic abuse
- 6 – Alleged FGM
- 7 – Alleged trafficking
- 8 – Deprivation of Liberty/Secure Accommodation
- 9 – Contact issues/prolonged period of no contact
- 10 – Factitious or induced illness
- 11 – Schooling
- 12 – Medical treatment
- 13 – Relocation (in jurisdiction)
- 14 – Relocation (out of jurisdiction)

Service

7. Time for service of notice of the proceedings is reduced from 3 days to *[period]* because the case needs hearing urgently to deal with the *[application for protective orders] / [issues about jurisdiction] / [issues related to parentage] / [issues about party status] / [issues about capacity to litigate] / [issues related to disclosure] / [issues arising out of this being an international case]*.

Allocation

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

Advocates' Meetings

9. The child~~[ren]~~'s solicitor shall, if possible, arrange an advocates' meeting prior to the urgent hearing. The advocates' meeting should be attended by the advocates who will appear at the hearing.
10. If possible, the child~~[ren]~~'s solicitor shall file at court (in the position statements tab on the FPL) and serve on the parties the minutes of the advocates' meeting, which must not be a verbatim transcript and should be a succinct summary of the parties' positions on the issues discussed.
11. If the minutes of the advocates meeting are able to set out the positions of all parties, then there is no need for each party to also file position statements. Otherwise, it is expected that if there is sufficient time then position statements will be lodged not later than 11.00 on the day before the hearing.

Case summary and draft CMO

12. The local authority must by 11.00am on the day before the urgent hearing file at court and serve on the parties a case summary and draft case management order.

13. If removal of the child[ren] from the care of their family is sought by the local authority, it must use its best endeavours to file at court and serve on the parties by not later than 11.00am on the day before the hearing a skeleton argument or detailed position statement setting out how it submits that the test for removal is satisfied. If there is insufficient time for this to be done, then the local authority is expected to be able to set this out at the hearing.

Children's guardian's analysis

14. A children's guardian shall be appointed for the children.
15. The child[ren]'s guardian must by 11.00am on the day prior to the urgent hearing file at court and serve on the parties a position statement of the issues for consideration at that hearing. Should the guardian, as a result of the shortness of time arising from the urgent listing of this case, be unable to comply, then they must instruct the solicitor for the child[ren] as fully as possible as to the substantive and case management issues.

Participation directions

16. The Court has concluded that there are currently no parties or witnesses for whom it is necessary to make participation directions because 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.
(OR)
The Court considers that it may be necessary to make participation directions in respect of a party or witness.
17. Any party seeking specific measures to enable them to understand the proceedings or participate effectively in the proceedings shall lodge an application as soon practicable which sets out clearly why such measures are sought, together with any evidence the party relies on in support of their application which must set out:
 - a. why the party or witness would benefit from assistance;
 - b. the measure or measures that would be likely to maximise as far as practicable the quality of their participation and/or evidence and why; and
 - c. written confirmation from any relevant witness of his/her views.

Interpreter/translation

18. 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.
19. 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].
20. 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.

Bundles

21. The local authority must by 11.00am on the day before the hearing lodge an agreed and paginated bundle to comply with PD 27A.

Dated [date]

ANNEX – ADDITIONAL ORDERS

Joinder of father without parental responsibility

22. [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]].
23. [Name] must so far as practicable comply with the requirements of this order.
24. 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

25. 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)

26. 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)].

Production order

27. A separate production order has been made.