



Judiciary of  
England and Wales

# **The Financial Remedies Court of England & Wales Financial Remedies Guide March 2026**

Mr Justice Peel  
HHJ Hess



**Financial Remedies Guide 2026**

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## Introduction

March 2026

1. We are authorised by the President to release this Statement.
2. This Guide applies to all cases heard in the Financial Remedies Court (“FRC”) whether allocated to the level of a High Court Judge (sitting at the Royal Courts of Justice or elsewhere), or to the level of a Circuit Judge or a District Judge.
3. This Guide is intended to provide essential practice guidance for legal representatives, litigants in person, and the judiciary working in the FRC. Legal representatives and the judiciary are encouraged to draw attention to this Guide to any litigants in person who might not otherwise be aware of it.
4. This Guide should be read alongside the *Overall Structure of the Financial Remedies Court and the Role and Function of the Lead Judge* (revised March 2026).
5. This Guide replaces and supersedes (i) the *Statement on the Efficient Conduct of Financial Remedy Cases Allocated to a High Court Judge Whether Sitting at the Royal Courts of Justice or Elsewhere* (revised 1 February 2016) (the “2016 Efficiency Statement”); (ii) the *Statement on the Efficient Conduct of Financial Remedy Hearings Proceedings in the Financial Remedies Court below High Court Judge level* (dated 11 January 2022) (the “2022 Efficiency Statement”); (iii) the *Financial Remedies Court Primary Principles* (dated 11 January 2022); (iv) the *Notice from the Financial Remedies Court: Electronic Bundles* (dated 19 April 2022); and (v) the *Allocation of Financial Remedies Cases to High Court Judge Level* (dated 21 May 2024).
6. References to (i) the 2016 Efficiency Statement in the *President’s Guidance: Jurisdiction Of The Family Court: Allocation of cases within the Family Court to High Court judge level and transfer of cases from the Family Court to the High Court* (dated 24 May 2021); and (ii) the 2022 Efficiency Statement in the *Advisory Notice re. the Template ES2* (dated 1 February 2022) should now be read as being references to this Guide.
7. References to paragraph numbers in PD 27A are to *FPR 2010 Practice Direction 27A – Family Proceedings: Court Bundles (Universal Practice to be Applied in the High Court and Family Court)* which came into force on 2 March 2026.

## Jurisdiction of the Financial Remedies Court

8. The FRC is a subsidiary structure within the family court.
9. The FRC deals with all applications which fall within the definition of “financial order” and “financial remedy” under Family Procedure Rules 2010 r2.3. Therefore financial remedy applications arising out of a divorce or civil partnership dissolution are included as are (i) financial remedy applications such

as those made under the Children Act 1989 Schedule 1 or the Matrimonial and Family Proceedings Act 1984 Part III; (ii) cases where jurisdiction and/or forum is in issue in the context of a financial remedy application; and (iii) a range of rarer applications including transfer of tenancy applications under the Family Law Act 1996 Schedule 7.

10. The FRC also deals with (i) third party issues relating to (alleged) ownership of property arising within a financial order/remedy application; (ii) all applications for the enforcement of financial remedy orders; and (iii) all applications seeking permission to appeal (in the first instance) or otherwise set aside orders previously made in the FRC.
11. For consideration of the question of the jurisdiction of the family court (and therefore the FRC) to deal with applications made under the Trusts of Land and Appointment of Trustees Act 1996 and under the Inheritance (Provision for Family and Dependants) Act 1975 see *The Jurisdiction of the Family Court to Determine Property Disputes in Favour of Third Parties* [2023] FRJ 192 - <https://financialremediesjournal.com/the-jurisdiction-of-the-family-court-to-determine-property-disputes-in-favour-of-third-parties/>

## Aim and Objective of the Financial Remedies Court

12. The principal aim and objective of the FRC is to improve the delivery of justice for parties involved in court proceedings relating to financial issues arising from the ending of their relationship.
13. In order to enhance efficiency in the disposal of financial remedy cases, to ensure that such cases are allotted an appropriate share of the court's resources, and to improve access to justice for all litigants, the standards and procedures as set out in this Guide must be observed.

## Operation of the Financial Remedies Court

14. The President of the Family Division has appointed a National Lead Judge and a Deputy National Lead Judge to oversee the operation of the FRC.
15. The operation of the FRC, and the creation of FRC zones and the appointment and role of the FRC Lead Judges within the zones, is as recorded in the document titled *Overall Structure of the Financial Remedies Court and the Role and Function of the Lead Judge* (revised March 2026).
16. Other than in respect of cases allocated to High Court Judge level, in each FRC zone the Lead Judge is responsible for identifying a list of 'ticketed' FRC judges. No case involving financial remedies shall be dealt with by a judge who is not 'ticketed', save in exceptional circumstances where such a judge is not available and resource implications so require.

17. A full list of FRC judges in all zones (“the organogram”) is published and regularly updated by HMCTS in liaison with Lead Judges and HMCTS staff. The organogram can be found on the Financial Remedies Journal website – [www.financialremediesjournal.com/financial-remedies-court-structure/](http://www.financialremediesjournal.com/financial-remedies-court-structure/)
18. Save for a diminishing number of legacy cases, all of the work of the FRC will be conducted through the contested cases online portal (see FPR 2010, PD 41H) or the consent orders online portal (see FPR 2010, PD 41B). Any requirement by the court for the filing of a document should be complied with by uploading the document to the appropriate portal. At present, litigants in person do not have access to the online portals, and must communicate with the court by email and send by post documents for uploading to the bulk scanning centre at HMCTS Financial Remedy, PO Box 12746, Harlow, CM20 9QZ, but work is currently in progress which will in due course allow the direct uploading of documents to the online portals by litigants in person.
19. Parties are reminded that there is no physical court file so the court file consists only of documents uploaded to the online portals.
20. The FRC recognises that many hearings can be conducted in a satisfactory manner remotely (whether via CVP or Teams or other video platforms), without requiring the physical attendance of participants in the court building. Individual Lead Judges will issue local zonal guidance concerning which hearings should be heard remotely in their zone and which should be attended, and such guidance will also cover the arrangements for such hearings.

## Non-Court Dispute Resolution

21. FRC judges will be ever-mindful of opportunities for the parties to engage in attempts to reach settlement of some or all the issues out of court by whatever means of non-court dispute resolution (“NCDR”) are suited to the case – for example, mediation, private FDR Appointment, arbitration and collaborative practice - and will encourage parties to explore the available possibilities. One couple/one lawyer legal advice may also be recommended in appropriate cases.
22. FRC judges will expect parties to comply with the terms of the pre-application protocol annexed to FPR 2010 *Practice Direction 9A – Application for a Financial Remedy*. Therefore:
  - a. before starting court proceedings, the court will expect parties to have attended at least one form of NCDR, unless there are safety concerns or there is another good reason not to do so; and
  - b. if parties have not attempted at least one form of NCDR before starting court proceedings then the court (on being informed by a party that this is the case – which does not require a formal Part 18 application - or by the court finding out of its own initiative) may (i) decline to commence the court timetable by the issue of a Form C (Notice of a First Appointment); or (ii) suspend the same and instead make such directions as it thinks appropriate

to ensure that at least one form of NCDR has been attempted before directions on Form C are given.

23. FRC judges will be mindful (i) that by FPR 2010 r1.4, the court must further the overriding objective by actively managing cases and that by r1.2(2)(f), active case management includes encouraging the parties to use NCDR if the court considers that appropriate and facilitating the use of such procedure; and (ii) of their duty as set out in FPR 2010 Part 3 to consider at every stage in proceedings whether NCDR is appropriate.
24. FRC judges will also be mindful that by FPR 2010 r28.3(7)(aa) in deciding what order (if any) to make that requires one party to pay the costs of another party it must have regard to any failure by a party, without good reason, to attend a MIAM and/or attend NCDR.
25. Where a case already in the court list is referred to a private FDR Appointment, the court will list a directions appointment or mention hearing which may be vacated in the event an agreement is reached and a consent order (accompanied by a D81) is filed and approved.
26. Where a private FDR Appointment has taken place, the parties shall provide an explanation to the next FRC judge dealing with the case so that they can be assured that a thorough FDR exercise has taken place. This explanation should not include reference to any without prejudice positions but should confirm the basic factual details limited to (i) whether or not the private FDR Appointment took place and, if so, on what date and whether both parties attended; (ii) the identity of the private FDR evaluator and the legal teams; (iii) the location of the private FDR Appointment; and (iv) the length of the private FDR Appointment.
27. If a case is stayed to allow the parties to enter arbitration, the court order will (i) require the parties promptly to inform the court when the final arbitration award has been delivered; and (ii) request the appointed arbitrator to inform the zonal Lead Judge (or if the case has been allocated to High Court Judge level, the allocated judge's clerk), when the final arbitration award has been made. The court ordinarily will then list a directions appointment or mention hearing as soon as is practicable, ideally within four weeks, which may be vacated in the event a consent order (accompanied by a D81) is filed and approved.
28. If a case is otherwise stayed to encourage parties to undertake NCDR the court will give directions about the timing and method by which the parties must tell the court if any of the issues in the proceedings have been resolved. If the parties do not promptly tell the court if any of the issues have been resolved as directed, the court will give such further directions as to the management of the case as it considers appropriate.

## Other Guidance Documents

29. There are numerous other documents that provide valuable guidance to legal professionals and litigants in person. These documents are annexed to this

Guide as **Annex 1**. This guidance will be applied, promoted and encouraged by FRC judges as appropriate.

## Duty to negotiate

30. At all hearings the court will require to be informed of the parties' compliance with the duty to negotiate openly and reasonably pursuant to FPR 2010 PD 28A para 4.4. To enable the court to examine the attempts at achieving a negotiated settlement, position statements for each hearing must contain short details of what efforts the parties have made to negotiate openly and reasonably. The parties will be warned that, whatever the size of the case and whether it is being decided by reference to needs or sharing, a failure to make reasonable attempts to compromise cases in open negotiation once the financial landscape is clear may be met by an order for costs.

## Allocation

### *Circuit Judge and District Judge level*

31. The applicant must complete the allocation questions arising on the online portal when filing their Form A (or equivalent). For this purpose, if it is safe and appropriate the applicant should ordinarily seek to consult and collaborate with the respondent for the purposes of answering the questions.
32. The zonal Lead Judges will be responsible for designing and operating the allocation procedure within their zone. It is likely that most cases will be allocated to District Judge level, but that some cases may be allocated to Circuit Judge level. The zonal Lead Judge may release a particular case, or a particular hearing, to be head by a judge of District Judge level even if it has been allocated to Circuit Judge level, if circumstances (or available judicial resources) require it.
33. The zonal Lead Judge will be responsible for identifying a list of judges within their zone (who may be salaried or fee-paid judges) who are suitable to hear cases designated as "complex cases". On allocation, a case designated as a "complex case" should be allocated to a particular judge on the list referred to above. The allocated judge will (ordinarily, but subject to available judicial resources) conduct all hearings, including interim applications, up to and including the final hearing, apart from the FDR Appointment. The FDR Appointment (unless it is conducted away from the court as a private FDR Appointment) should be conducted by another judge on the list referred to above. A legitimate alternative model is for the allocated judge to deal with the case up to and including the FDR Appointment and for it then to be reallocated to another "complex case" judge for all further hearings up to an including the final hearing if one is required. It is for the zonal Lead Judge to select the model suitable for that zone. The zonal Lead Judge may release a particular case, or a particular hearing, to be heard by a judge not on the list referred to above if circumstances (or available judicial resources) require it.

34. The allocation decision shall take into account the answers to the allocation questions which appear on the online portal as well as any other available material. In particular the judge making the allocation decision shall take into account:-
- a. the level of the assets and/or income involved;
  - b. whether or not there is a serious case advanced of non-disclosure of assets;
  - c. whether or not substantial assets are held offshore either directly or through the medium of trust or corporate entities and there may be issues as to the enforceability of any order;
  - d. whether or not substantial assets are held in trusts which are said to be variable nuptial settlements;
  - e. whether or not substantial assets are held through the medium of unquoted corporate entities and detailed expert valuation evidence may be required;
  - f. whether or not a serious, carefully considered and potentially influential argument is being advanced of:
    - i. compensation;
    - ii. non-matrimonial property; and/or
    - iii. conduct;
  - g. whether or not there are serious, substantial third-party claims to the assets otherwise subject to the dispositive powers of the court;
  - h. whether or not there is a serious, carefully considered and potentially influential issue as to the effect of a nuptial agreement; and/or
  - i. whether or not the application involves a novel and important point of law.

### ***High Court Judge level***

35. The governing principle is that a case should only be allocated to High Court Judge level if (i) it is exceptionally complex or there is another substantial ground for the case being heard at that level; and (ii) allocation to that level is proportionate.
36. In determining whether the governing principle is satisfied the following are relevant considerations:
- a. the net assets exceed £20m; and/or
  - b. the net earned annual income exceeds £1m.
37. In a case falling within paragraph 36 a and/or b above the governing principle will likely, but not necessarily, be satisfied. There will be some relatively straightforward cases falling within paragraph 36 a and/or b above where allocation to High Court Judge level will nevertheless not be proportionate.

38. In a case not falling within paragraph 36 a and/or b above there may be exceptional cases where one or more of the factors set out at paragraph 34 above mean that allocation to High Court Judge level is nevertheless appropriate.
39. Every case allocated to High Court Judge level will be allocated to an individual judge (whether a salaried or a fee-paid judge) at the earliest opportunity. The allocated judge will, unless this is completely impracticable, conduct all hearings, including interim applications, up to and including the final hearing apart from the FDR Appointment. The FDR Appointment (unless it is conducted away from the court as a private FDR Appointment) should be conducted by another judge of High Court Judge level.
40. Allocation will be undertaken as follows:
  - a. the applicant must complete the allocation questions arising on the online portal when filing their Form A (or equivalent). For this purpose, if it is safe and appropriate the applicant should ordinarily seek to consult and collaborate with the respondent for the purposes of answering the questions. Now that the online portal is fully in place, there is no longer facility for issuing a Form A in the Royal Courts of Justice and applications for an allocation to High Court Judge level should therefore not be made (as they were in the past) to the High Court Judge in charge of the financial remedies list or to the National Lead Judge;
  - b. it is intended to include within the online portal process the specific ability to seek allocation at the outset to High Court Judge level. However, until these improvements are in place a party seeking an allocation to High Court Judge level should make a specific application by way of D11 Application Notice on the online portal. Parties may provide additional information about the size and complexity of a case in support of such an application in a supporting document uploaded to the portal;
  - c. the case will be allocated to the appropriate FRC zone and referred to a judge for consideration;
  - d. the judge considering the application will ordinarily be the zonal Lead Judge, but if not then that judge should liaise with the zonal Lead Judge who will then in turn liaise with the National Lead Judge (currently Peel J); and
  - e. any application for allocation must be approved by the National Lead Judge or, if they are unavailable, by another High Court Judge.
41. The application for allocation to High Court Judge level may be made on or shortly after issue of Form A, so as to allow the entire case (if the application is granted) to proceed at that level. It is not acceptable for parties to wait until a short time before the listed First Appointment and then ask for allocation to High Court Judge level and a consequent vacation of the listed forthcoming First Appointment in the local family court, as this generates delay and wastes time.

42. If the application is allocated to High Court Judge level then it is likely that a composite list of dates that both parties can do (not dates to avoid) will be required to be sent to the High Court financial remedies email address at [rcj.highcourtFR@justice.gov.uk](mailto:rcj.highcourtFR@justice.gov.uk) by a deadline specified in the allocation order.

## Reallocation from Circuit Judge and District Judge level to High Court Judge level

43. Any application for reallocation must be made on a D11 Application Notice in accordance with FPR 2010 Part 18. If so paragraphs 35 - 42 inclusive shall apply (as appropriate).
44. Reallocation may also be requested at the First Appointment, at the directions phase of an unsuccessful FDR Appointment, and/or at a post private FDR Appointment directions hearing. If parties make such a request and the judge considers that it may be appropriate the judge shall refer the matter to the zonal Lead Judge who will in turn liaise with the National Lead Judge.

## Transfer from the FRC to the Family Division of the High Court

45. In certain very limited situations, it may be appropriate for a case to be transferred from the FRC to the Family Division of the High Court. This is wholly distinct from allocation (or reallocation) of a case to a judge of High Court level within the FRC.
46. Reference should be made to the *President's Guidance: Jurisdiction Of The Family Court: Allocation of cases within the Family Court to High Court judge level and transfer of cases from the Family Court to the High Court (24 May 2021)* in this regard.

## Freezing injunctions

47. For the avoidance of doubt, applications for freezing injunctions (whether under the Matrimonial Causes Act 1973 s37, or Senior Courts Act 1981 s37) should almost always be made and determined in the family court. Orders can almost always be made by judges at any level. Decisions on allocation where an application is also made for a freezing injunction will be made in accordance with the criteria set out above. Applications for freezing injunctions will only justify allocation at High Court Judge level if the complexity of the case justifies it in accordance with those criteria.

## Hemain injunctions

48. Likewise, *Hemain* injunctions can almost always be made by judges at any level. Decisions on allocation where an application is made for a *Hemain* injunction will

be made in accordance with the criteria set out above. Such applications will only justify allocation at High Court Judge level if the complexity of the case justifies it in accordance with those criteria.

## Without Notice (*Ex parte*) hearings

49. There are circumstances which justify the making of a without notice (or *ex parte*) order, whether for an injunction or otherwise. It will be the decision of the judge as to whether an application is listed on a without notice basis, and if it is so listed, whether an order is determined on this basis.
50. Decisions on these matters will be made in the FRC in the context of published judgments which make clear that the granting of an injunction without notice will only be done where there is good reason for departing from the general rule that both sides of an argument will be heard before the court makes a decision. In the same context, applications under the Matrimonial and Family Proceedings Act 1984 s13, for leave to make a substantive application under that Act, will ordinarily be listed on notice (i.e. on an *inter partes* basis).

## First Appointment

### *Circuit Judge and District Judge level*

51. Subject to available judicial resources, all cases will normally be listed with a time-estimate of either 45 minutes or 60 minutes, except those cases designated as complex cases which may be listed with a longer time-estimate. It shall be the responsibility of the zonal Lead Judges, in consultation with HMCTS, to decide and publicise the time-estimate policy to operate within their zone.
52. The following steps should be taken by the parties not less than 14 days before the hearing (in addition to the steps required by FPR 2010 Part 9):
  - a. in respect of each property currently used as a family home (with the exception of rented property) the applicant shall file with the court a market appraisal of its value from an estate agent agreed between the parties. If agreeing the choice of estate agent has proved impossible, the parties should each file a market appraisal for each property and must be prepared to explain the reason for the impossibility to the court;
  - b. each party shall file with the court and serve on the other party property particulars (limited to three each for themselves and three each for the other party) showing what their case is likely to be on housing need for themselves and the other party (although this will not preclude a party from arguing that the property they currently occupy is suitable for them); a map showing where the properties are in relation to the family home often assists the court; and
  - c. the applicant shall file with the court jointly obtained brief indicative material as to their respective borrowing capacities. If obtaining such material jointly

has proved impossible, the parties should individually obtain and file such material and must be prepared to explain the reason for the impossibility to the court.

Complying with a – c above will not preclude the parties from later seeking to adduce formal evidence of this nature.

- d. each party shall provide a questionnaire in accordance with paragraph 56a below.

### ***High Court Judge level***

53. Subject to available judicial resources, all cases will normally be listed with a time-estimate of either half a day or one day.

### ***At High Court Judge level, Circuit Judge level and District Judge level***

54. Parties are encouraged to agree the directions to be made at the First Appointment based on the accelerated procedure annexed to this Guide as **Annex 2** (with the standard form of draft consent order annexed as **Annex 3**).
55. Parties may agree to use the First Appointment as an FDR Appointment in which case the court should be notified beforehand so that, if possible, a longer in-person hearing can be accommodated. In that event, paragraphs 62 - 67 inclusive below must both be complied with. This should be done no later than the time required for filing Form G, i.e. 14 days before the hearing.
56. The following steps should be taken by the parties in advance of the hearing (in addition to the steps required by FPR 2010 Part 9):
  - a. not less than 14 days before the hearing:
    - i. each party shall file with the court and serve on the other party a questionnaire pursuant to FPR 2010 r9.14(5)(c). The questionnaire should not exceed four pages of A4 in length (using not smaller than a 12-point font with 1.5 spacing). The court is only likely to approve a questionnaire in excess of this length in a case where complexity (including alleged non-disclosure) justifies a longer set of questions. The requests for further information and documents should be proportionate and relate to the issues that the court may have to determine; and
  - b. not less than 7 days before the hearing:
    - i. a completed FM5.
57. No later than by 11:00 on the day before the hearing the applicant must file with the court:
  - a. a composite case summary using the Template ES1 annexed to this Guide as **Annex 4** ("Template ES1"). By so doing this satisfies the requirement at

FPR 2010 r9.14(5) to file a concise statement of issues and chronology;  
and

- b. a composite schedule of assets and income, based on the figures in the parties' Forms E, using, unless wholly impractical, the Template ES2 annexed to this Guide as **Annex 5** ("Template ES2") on which any unagreed items must be clearly denoted (usually by being blocked out in yellow). There are two published practice guidance notes (dated 1 February 2022 and 7 July 2025) which explain how to complete a Template ES2. Links to these guidance notes are included in **Annex 1**.

The parties must collaborate before the hearing to produce these key documents. It is unacceptable for the court to be presented at the First Appointment with competing documents.

58. The obligation to prepare Template ES1 and ES2 applies equally to litigants in person as it does to represented parties.
59. If the parties propose a private FDR Appointment, and the court agrees to this course, the order permitting this course shall:
  - a. identify the private FDR Appointment evaluator and (with as much specificity as possible) the date when the private FDR Appointment will take place;
  - b. dispense with the in-court FDR Appointment;
  - c. state that the private FDR Appointment once fixed may only be adjourned by written agreement or pursuant to an order of the court; and
  - d. provide that the matter shall be listed for a mention/directions hearing shortly after the private FDR Appointment, with this hearing to be vacated if a consent order (accompanied by a D81) is filed and approved by a judge in advance of the hearing.
60. Such an order will normally be made at the First Appointment. It is recognised that attending a private FDR Appointment is a voluntary process but that, when the parties agree in principle to do this, the court should be engaged in ensuring there is clarity in what is to happen and imposing a timetable on the process which should not be departed from without the sanction of the court. Accordingly, if the identity of the private FDR Appointment evaluator has not been agreed by the First Appointment, the parties must bring to the hearing details, including the fees, of their proposed evaluator/s. If the identity of the evaluator and the timing of the private FDR Appointment cannot be agreed between the parties, then the court is likely to seek to assist the parties in reaching an agreement on these issues or (at least) in reaching agreement on a mechanism to determine how they are to be agreed.
61. The date for the final hearing may be fixed by the court at the First Appointment, although the court is more likely to determine that an FDR Appointment should take place before any final hearing is listed.

## FDR Appointment

### *Circuit Judge and District Judge level*

62. Subject to available judicial resources, the FDR Appointment will be listed with a time estimate of 1 - 1½ hours unless the court at the First Appointment directs a longer or shorter period. It shall be the responsibility of the zonal Lead Judges to decide, in consultation with HMCTS, and publicise the time-estimate policy to operate within their zone.
63. FDR Appointments shall normally be listed in the course of the morning, ordinarily at 10:00 or 10:30, but parties and their advisers must ensure that they are available for the whole day. The parties will ordinarily be directed to attend one hour before the scheduled start time to commence negotiations.

### *High Court Judge level*

64. Subject to available judicial resources, the FDR Appointment will be listed with a time estimate of 1 day unless (i) the parties certify, giving written reasons, that a lesser period is sufficient; and (ii) obtain the written permission of the FDR judge before whom the case is listed for hearing for the reduced time estimate. The parties will be directed to attend one hour before the scheduled start time to commence negotiations.

### *At High Court Judge level, Circuit Judge level and District Judge level*

65. No later than by 11:00 on the day before the hearing the applicant must file with the court:
  - a. an updated composite case summary using Template ES1; and
  - b. an updated composite schedule of assets and income using, unless wholly impractical, Template ES2 on which any unagreed items must be clearly denoted.

The parties must collaborate before the appointment to produce these key documents. It is unacceptable for the court to be presented at the FDR Appointment with competing documents.

66. The obligation to prepare Template ES1 and ES2 applies equally to litigants in person as it does to represented parties.
67. The parties must also file an updated FM5 if directed by the court to do so.

## Preparation for final hearing

### *Circuit Judge and District Judge level*

68. Every case listed for a final hearing of three or more days should be the subject of a Pre-Trial Review (“PTR”) held approximately four weeks before the final hearing.
69. Subject to available judicial resources, the PTR should be conducted by the same judge who is to conduct the final hearing.

### **High Court Judge level**

70. Every case must be the subject of a PTR before the allocated judge held approximately four weeks before the final hearing. The allocated judge will decide whether the PTR is to be held by way of an attended hearing or by way of a remote video platform.

### **At High Court Judge level, Circuit Judge level and District Judge level**

71. At the PTR a final hearing template (timetable) must be approved by the court. This should:
  - a. allow a reasonable and realistic time for judicial reading;
  - b. allow a reasonable and realistic time for judgment writing and delivery;
  - c. not normally allow longer than one hour (at High Court level) or 30 minutes (at Circuit or District Judge level) for housekeeping and/or opening; and
  - d. not normally allow for any evidence-in-chief unless the court has expressly authorised this at the PTR within the terms of FPR 2010 rr22.6(2)-(4). Pursuant to r22.6(2) the parties’ section 25 statements are to stand as their evidence-in-chief unless the court directs otherwise.
72. For those cases without a PTR, the timetable should be considered and approved in the directions phase of the unsuccessful FDR Appointment (or at the subsequent mention/directions hearing in those cases where the parties attended a private FDR Appointment).
73. The admission of expert evidence will be in accordance with the *President’s Memorandum: Experts in the Family Court* (4 October 2021). If evidence from more than one expert on an issue has been permitted, but a discussion between those experts has not occurred, the parties must jointly agree that this takes place no later than 28 days before the final hearing. The default position is that the expert’s written report will be admissible in evidence without the attendance of the expert at court and therefore an expert will not give oral evidence at a hearing unless there has been a specific direction by the court requiring their attendance for this purpose.
74. Subject to any alternative direction given at the PTR (where applicable) the applicant must file by no later than 11:00 on the day before the final hearing:
  - a. an updated composite case summary using Template ES1;

- b. an updated composite schedule of assets and income using, unless wholly impractical, Template ES2 on which any unagreed items must be clearly denoted;
- c. a composite chronology recording in neutral terms the key dates of the parties' relationship and of the litigation and where any unagreed events are clearly denoted; and
- d. an agreed statement of the issues to be determined at the final hearing.

The parties must collaborate before the hearing to produce these key documents. It is unacceptable for the court to be presented at the final hearing with competing documents.

- 75. The obligation to prepare Forms ES1 and ES2, chronology and statement of issues, applies equally to litigants in person as it does to represented parties.
- 76. The parties must also file an updated FM5 if directed by the court to do so.
- 77. If settlement is not reached at the FDR Appointment or private FDR Appointment (as applicable), subject to FPR 2010 r9.27A(1)(a) the parties must file with the court and serve on each other an open proposal for settlement within 21 days after the date of the FDR Appointment.

## Final hearing

- 78. At the final hearing the parties' advocates will be expected to adhere to the hearing template. Slippage will not be tolerated unless there are very good reasons.
- 79. If advocates, without reasonable excuse, fail to comply at the final hearing with paragraphs 74 (provision of Template ES1 and ES2, chronology and statement of issues), 88 (length and content of position statements), 91 (time for filing of position statements) and/or 78 (adherence to the hearing template) they may be subject to an appropriate sanction.

## Section 25 statements and other witness statements

- 80. Witness statements must comply with the following principles and standards which derive from the *President's Memorandum: Witness Statements (10 November 2021)*:
  - a. the statement must be expressed in the first person using the witness' own words;
  - b. witness statements may only contain evidence. The statement must not:
    - i. quote at any length from any document;
    - ii. seek to argue the case;

- iii. take the court through the documents;
  - iv. set out contentions as to the meaning of the documents, those being matters for argument;
  - v. express the opinions of the witness; or
  - vi. use rhetoric;
- c. evidence may be given on matters of past and future fact and matters of information and belief. The statement may contain only those matters of fact of which the witness has personal knowledge and which are relevant to the case;
  - d. the statement must indicate the source of any matters of information and belief (FPR 2010 PD 22A para 4.3(b)). Evidence about future needs will be a matter of information and belief;
  - e. key documents relied on may be exhibited to the statement but their number must be limited so that the 350-page bundle limit (see paragraph 81 c below) is not exceeded;
  - f. a person involved in preparing the statement must not, subject to the next sub-paragraph, in any way seek to alter or influence the recollection of the witness;
  - g. the memory of witnesses may be refreshed by showing them a document which they created, or which they saw while the facts stated in the document were still fresh in their mind;
  - h. parties should understand that the court's approach to witness evidence based on human memory will be in accordance with CPR 1998 PD 57AC, Appendix para 1.3;
  - i. the statement must be as concise as possible without omitting anything of significance; and
  - j. the statement should not exceed 15 pages in length (excluding exhibits). This page limit is a statement of best practice and does not derogate from the 25-page limit in FPR 2010 PD 27A para 8.1, which should be regarded as a maximum.

## Bundles

81. The following principles must be observed:

- a. the court bundle for any hearing must strictly comply with FPR 2010 PD 27A. Chapter 6 provides specific guidance for the structure and content of the bundle in financial remedy proceedings;
- b. the internal and PDF numbering must match;

- c. FPR 2010 PD 27A limits the size of the bundle to no more than 350 pages: a specific prior direction from the court must be obtained if the bundle is to exceed that limit (para 11.2(b));
- d. the limit of 350 pages does not include the position statements (see paragraph 89 below) and the composite documents (see paragraphs 57, 65 and 74 above);
- e. only those documents which are relevant to the hearing and which it is necessary for the court to read, or which will actually be referred to during the hearing, may be included. Correspondence (including with experts), bank or credit card statements and other financial records must not be included unless a specific prior direction of the court has been obtained (para 5.1);
- f. a separate bundle of all authorities relied on must be prepared and this must be agreed between the advocates (para 10.2). That bundle may not contain more than 10 authorities unless the court has specifically directed otherwise (para 10.2). Attention is drawn to paragraph 6 of *Practice Direction (Citation of Authorities)* [2001] 1 WLR 1001, to *Practice Direction (Citation of Authorities)* [2012] 1 WLR 780, to the *Guidance on Citation of Authorities: Judgments of Circuit Judges and District Judges* issued by the President of the Family Division on 24 February 2025, and to any subsequent guidance that may be issued in relation to citing authorities;
- g. the court bundle, with the exception of the position statements (see paragraph 91 below for filing of position statements), must be filed by the applicant and served on the respondent not less than five working days before the hearing (para 13.2). The bundle of authorities should be filed at the court at the same time as the position statements; and
- h. if resources permit, a helpful practice is for a laptop or tablet to be made available to a witness (with only the bundles able to be accessed) rather than a paper bundle.

Guidance for litigants in person on how to prepare a bundle in accordance with FPR 2010 PD 27A was published on 2 March 2026 and can be found here: <https://www.judiciary.uk/wp-content/uploads/2026/03/020326-Preparing-Court-Bundles-for-Family-Proceedings-Guide-for-Litigants-in-Person.pdf>

- 82. The bundle for each hearing must contain the parties' Forms FM5 and either Forms H or H1 (as applicable).
- 83. The default position is that the applicant (or where there are cross-applications, the party whose application was first in time) must prepare, file and serve the bundle.
- 84. If the applicant is a litigant in person, but a respondent is legally represented, then, subject to any direction of the court, the first legally represented respondent must prepare, file and serve the bundle.

85. If both (or all) parties are litigants in person and are unable to construct an electronic bundle in accordance with FPR 2010 PD 27A, the applicant should contact the court and explain the difficulty as far as possible in advance of the relevant court hearing. Where possible the applicant should suggest a practical way of overcoming the problem, which may be that the respondent (or another party if there is one) should be invited to prepare the bundle. A respondent and/or another party in this situation is encouraged to offer assistance where possible.
86. If both (or all) parties are litigants in person and the court is satisfied that none of the parties has sufficient IT ability to able to prepare, file and serve an electronic bundle, then the court will have to do its best to find a solution which overcomes the problem. The court may request that HMCTS prepare and make available to the parties a PDF bundle, together with a paper bundle(s) for use in the witness box and/or by litigants in person who cannot access a PDF bundle. If such a request is made to HMCTS they shall comply with this request to the extent that their resources permit (it being noted that by FPR 2010 PD 27A para 4.8 a bundle prepared by HMCTS need not comply with the usual requirements in terms of the content, format and pagination of the bundle).
87. Litigants in person are also reminded that they *might* be eligible for *pro bono* assistance from Advocate (<https://weareadvocate.org.uk>) and/or Support Through Court (<https://supportthroughcourt.org>) amongst other organisations.

## Position statements

88. In this Guide “*Position Statement*” is the generic term for any form of written submission by a party, or their advocate, including a skeleton argument.
89. Position statements must:
  - a. be concise and not exceed:
    - i. for the First Appointment **10** pages (at High Court Judge level) and **6** pages (at Circuit or District Judge level) excluding composite documents under paragraph 57 above, but including any other attached schedules;
    - ii. for any other interim hearing **10** pages (at High Court Judge level) and **8** pages (at Circuit or District Judge level) including any other attached schedules;
    - iii. for the FDR Appointment **15** pages (at High Court Judge level) and **12** pages (at Circuit or District Judge level) excluding composite documents under paragraph 65 above, but including any other attached schedules; and
    - iv. for the final hearing **20** pages (at High Court Judge level) and **15** pages (at Circuit or District Judge level) excluding composite documents under paragraph 74 above, but including any other attached schedules);
  - b. be saved as PDFs;
  - c. be in not less than 12-point font and 1.5-line spacing;

- d. ordinarily be in either Times New Roman font or Arial font;
- e. both define and confine the matters in dispute to be resolved at the hearing;
- f. be set out in numbered paragraphs;
- g. be cross-referenced to any relevant documents in the bundle;
- h. be self-contained and not incorporate by reference material from previous position statements;
- i. not include extensive quotations from documents;
- j. not introduce any new factual allegations or evidence;
- k. not include any exhibits;
- l. set out the directions or orders sought; and
- m. include the matters mentioned in paragraph 30 above.

Where it is necessary to refer to an authority, a position statement must first state the proposition of law the authority demonstrates and then identify the parts of the authority that support the proposition, but without extensive quotation from it.

- 90. If a position statement for a hearing is intended to exceed the applicable limit in paragraph 89 a above permission to do so should, as a matter of good practice, be sought at the PTR (if applicable for a final hearing), otherwise by email application to the court. Very good reasons would have to be shown for such a direction to be made. The court will expect an explanation to be given if a position statement breaches the applicable limit without permission having been obtained. A position statement which breaches the limit may be returned unread for abridgment.
- 91. Position statements should be uploaded to the portal by 11:00 on the working day before the hearing. If the case is allocated to High Court Judge level the position statements should also be emailed to the judge's clerk. If the case is allocated to Circuit Judge or District Judge level the position statements should also be emailed to the hearing judge (when known) if they have requested the same.
- 92. The parties should exchange their position statements no later than one hour after the deadline for filing with the court (unless the parties have agreed an earlier time).

## Orders

93. The drafting of orders must comply fully with the following principles and standards which derive from the *President's Memorandum: Drafting Orders* (10 November 2021):
- a. in accordance with the *Practice Guidance: Standard Financial and Enforcement Orders* issued by the President of the Family Division on 30 November 2017 the standard order templates should be used, adapted as appropriate to the facts of the case;
  - b. where the order follows a hearing its terms (including its recitals) must do no more than accurately reflect the result of the hearing;
  - c. recitals should not seek to summarise what happened at a hearing, but should rather record, shortly and neutrally, those essential background matters which are not part of the body of the order;
  - d. parties must not seek to attribute views to the court in recitals which did not form part of the court's disposition;
  - e. the parties' respective positions before or during the course of the hearing should not be set out in recitals; and
  - f. the principles should also be followed, insofar as they are applicable, when drafting an order by consent.
94. Where one or more parties has legal representation at a particular hearing, the order should be agreed, drafted and lodged before the parties leave the court building or, on remote hearings, on the day of the hearing, unless this is wholly impracticable in which event the order should be agreed, drafted and lodged within two working days of the hearing. This time limit is a statement of best practice and does not derogate from the limit in FPR 2010 r29.11(3)(a) which should be regarded as a maximum and is subject to any further order as to when draft orders are to be sent to the court.
95. Where the parties, or their legal representatives, cannot agree the form of the order within the above timescale, they must draw the judge's attention to the matter not later than the point of expiry of the timescale referred to above and should provide to the judge by email, no more than 24 hours later than the expiry of this timescale, a composite draft order which identifies the points of disagreement together with concise submissions on the points of disagreement (which shall be in the body of the email or in a separate document of no more than two pages in length) so that the judge may determine the form of order. The judge may in the alternative determine that another hearing is necessary to determine the points of disagreement. It is unacceptable for the parties to delay the settling of the order beyond this timetable.

96. The date for the next hearing shall be fixed by the court before the parties leave the court, unless this is not practicable or the court otherwise orders.

## Wellbeing

97. Subject to demands on judicial resources, and other specific reasons, listed hearings will not take place before 10:00 and the court day will generally end between 16:00 and 16:30. Accordingly:
- a. it is not reasonable to expect an email sent late in the day to be answered early on the next working day;
  - b. without prejudice to the preceding sub-paragraph, there should not be an expectation that any email sent after 18:00 to another practitioner or litigant will be answered before 08:30 the following working day;
  - c. subject to the next sub-paragraph, sending emails between these times is strongly discouraged; and
  - d. engaging in email correspondence between these hours is acceptable where there is a reasonable prospect that such correspondence will lead to a settlement being reached or the issues in dispute being significantly reduced.

## Fast-track

98. The fast-track procedure set out in FPR 2010 Part 9 Chapter V is confined in accordance with FPR 2010 r9.9B to cases which are either (i) an application for an order for periodical payments alone; or (ii) an application for the variation of an order for periodical payments except where the applicant seeks the dismissal (immediate or otherwise) of the periodical payments order and its substitution with one or more of a lump sum order, a property adjustment order, a pension sharing order or a pension compensation sharing order.
99. The principles, standards and requirements set out above apply equally to a case to which the fast-track procedure applies, save where modified below.
100. FPR 2010 Part 9 Chapter V provides that (i) following the issuing of a fast-track application the court will fix a first hearing to take place not less than 6 weeks and not more than 10 weeks after the date of the filing of the application; (ii) the parties must file and exchange Forms E, E1, or E2 no more than 21 days after the issue of the application; (iii) if the court is able to determine the application at the first hearing it must do so unless there are good reasons not to do so; and (iv) the court can use the first hearing or part of it as an FDR Appointment or may direct that the application be referred to an FDR Appointment.
101. The first hearing will normally be listed by the court with a time estimate of 60 minutes.

102. For the first hearing paragraphs 52 and 57 a above shall not apply.

103. If the case is not finally resolved at the first hearing and is either referred to an FDR Appointment or to a final hearing the provisions above in relation to the FDR Appointment and to the final hearing shall apply in full.

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## Annex 1 – Guidance

GUIDANCE	WEB LINK
<b><i>Guidance published by the President of the Family Division</i></b>	
President's Guidance: Jurisdiction of the Family Court: allocation of cases within the Family Court to High Court Judge level and transfer of cases from the Family Court to the High Court (24 May 2021)	<a href="http://www.judiciary.uk/wp-content/uploads/2022/07/PFD-Guidance-Jurisdiction-of-the-Family-Court-May-2021.pdf">www.judiciary.uk/wp-content/uploads/2022/07/PFD-Guidance-Jurisdiction-of-the-Family-Court-May-2021.pdf</a>
The President's Memorandum: Witness Statements (10 November 2021)	<a href="https://www.judiciary.uk/guidance-and-resources/president-of-the-family-division-witness-statements/">https://www.judiciary.uk/guidance-and-resources/president-of-the-family-division-witness-statements/</a>
The President's Memorandum: Drafting Orders (10 November 2021)	<a href="https://www.judiciary.uk/guidance-and-resources/president-of-the-family-division-drafting-orders/">https://www.judiciary.uk/guidance-and-resources/president-of-the-family-division-drafting-orders/</a>
The President's guidance on Citation of Authorities: Judgments of Circuit Judges and District Judges (27 February 2025)	<a href="https://www.judiciary.uk/guidance-and-resources/guidance-from-the-pfd-citation-of-authorities-judgments-of-circuit-judges-and-district-judges-2025/">https://www.judiciary.uk/guidance-and-resources/guidance-from-the-pfd-citation-of-authorities-judgments-of-circuit-judges-and-district-judges-2025/</a>
The Pre-Application Protocol in financial remedy proceedings (an annex to PD 9A) (May 2025)	<a href="https://www.justice.gov.uk/courts/procedure-rules/family/practice_directions/pd_part_09a#IDAIQMGC">https://www.justice.gov.uk/courts/procedure-rules/family/practice_directions/pd_part_09a#IDAIQMGC</a>
<b><i>Guidance published by the Family Justice Council</i></b>	
Family Justice Council's FDR: Best Practice Guidance (2012)	<a href="http://www.judiciary.uk/wp-content/uploads/2014/10/fjc_financial_dispute_resolution.pdf">www.judiciary.uk/wp-content/uploads/2014/10/fjc_financial_dispute_resolution.pdf</a>
Family Justice Council: Sorting Out Finances on Divorce (2024)	<a href="https://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/family-justice-council/litigants-in-person-in-the-family-justice-system/sorting-out-finances-on-divorce/">https://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/family-justice-council/litigants-in-person-in-the-family-justice-system/sorting-out-finances-on-divorce/</a>
<b><i>Guidance on pensions on divorce</i></b>	
The Report of the Pensions Advisory Group 2024	<a href="http://www.nuffieldfoundation.org/wp-content/uploads/2023/A-guide-to-the-treatment-of-pensions-on-divorce-2nd-edition.pdf">www.nuffieldfoundation.org/wp-content/uploads/2023/A-guide-to-the-treatment-of-pensions-on-divorce-2nd-edition.pdf</a>

GUIDANCE	WEB LINK
<b><i>Useful how to guides for people who do not have a lawyer</i></b>	
Advicenow: How to get legal aid for a family issue	<a href="https://www.advicenow.org.uk/get-help/family-and-children/family-court/how-get-legal-aid-family-issue">https://www.advicenow.org.uk/get-help/family-and-children/family-court/how-get-legal-aid-family-issue</a>
Advicenow: Help with court fees in a civil or family case.	<a href="https://www.advicenow.org.uk/get-help/family-and-children/family-court/help-court-fees-civil-or-family-case">https://www.advicenow.org.uk/get-help/family-and-children/family-court/help-court-fees-civil-or-family-case</a>
Advicenow: Divorce and separation	<a href="https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation">https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation</a>
Advicenow: What to do before applying for a financial order when you get divorced (a litigant in person guide to the Pre Application Protocol)	<a href="https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/what-do-applying-financial-order-when-you-get">https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/what-do-applying-financial-order-when-you-get</a>
Advicenow: Family mediation	<a href="https://www.advicenow.org.uk/get-help/family-and-children/family-mediation">https://www.advicenow.org.uk/get-help/family-and-children/family-mediation</a>
Advicenow: How to apply for a financial order without a lawyer	<a href="https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/apply-financial-order-without-lawyer">https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/apply-financial-order-without-lawyer</a>
Advicenow: How to fill in your financial statement (Form E)	<a href="https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/how-fill-your-financial-statement-form-e">https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/how-fill-your-financial-statement-form-e</a>
Advicenow: Sorting out your finances when you get divorced	<a href="https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/sorting-out-your-finances-when-you-get-divorced">https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/sorting-out-your-finances-when-you-get-divorced</a>
Advicenow: Pensions on divorce	<a href="https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/pensions-and-divorce">https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/pensions-and-divorce</a>
Advicenow: Going to court when the other side has a lawyer and you don't	<a href="https://www.advicenow.org.uk/get-help/going-court/representing-myself-court/going-court-when-other-side-has-lawyer-and-you-dont">https://www.advicenow.org.uk/get-help/going-court/representing-myself-court/going-court-when-other-side-has-lawyer-and-you-dont</a>
<b><i>Useful animations</i></b>	
Courtney	<a href="https://courtney.legal/">https://courtney.legal/</a>
Pensions on divorce	<a href="https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/pensions-divorce-what-should-you-do">https://www.advicenow.org.uk/get-help/family-and-children/divorce-and-separation/pensions-divorce-what-should-you-do</a>

GUIDANCE	WEB LINK
<b><i>Guidance on how to complete Template ES2</i></b>	
2022 guidance	<a href="https://www.judiciary.uk/guidance-and-resources/notice-from-the-financial-remedies-court-2-2/">https://www.judiciary.uk/guidance-and-resources/notice-from-the-financial-remedies-court-2-2/</a>
2025 update	<a href="https://www.judiciary.uk/guidance-and-resources/financial-remedies-court-update-on-es2-part-of-the-efficiency-statement/">https://www.judiciary.uk/guidance-and-resources/financial-remedies-court-update-on-es2-part-of-the-efficiency-statement/</a>

## Annex 2 – Accelerated First Appointment Procedure

### **ACCELERATED FIRST APPOINTMENT PROCEDURE IN FINANCIAL REMEDY PROCEEDINGS IN THE FINANCIAL REMEDIES COURT (“FRC”)**

1. This procedure does not derogate from the underlying philosophy of the procedure in FPR 2010 Part 9, and the key principle of judicial case management from an early stage in financial remedy proceedings and may be adopted at any level of allocation, including High Court Judge level.
2. This procedure is considered to be fully compliant with all the relevant provisions of FPR 2010.
3. This procedure is intended to provide a method for avoiding the personal attendance of parties and legal representatives at First Appointment hearings where the parties have been able to agree directions in advance.
4. The procedure may be utilised in cases falling into FPR 2010, Part 9, Chapter V (in particular Children Act 1989 Schedule 1 and Matrimonial Causes Act 1973 section 31 applications) where both parties agree (and invite the judge to approve under FPR 2010 r9.18A) that the Chapter IV procedure should be adopted.
5. This procedure will only be available where:-
  - (i) an application has been made on the online portal by Form D11 and there is a draft agreed directions order in the standard form set out in the annex below which is agreed by both parties and signed by them (or on their behalf);
  - (ii) the required documents together with the signed draft agreed directions order have been uploaded to the online portal at least 7 days prior to the date fixed for the First Appointment hearing; and
  - (iii) a judge has approved the draft agreed directions order in advance of the hearing.
6. The required documents for the purposes of paragraph 5 (ii) are:-
  - (i) each party’s financial statement in Form E filed in accordance with FPR 2010 r9.14(1);
  - (ii) Template ES1;
  - (iii) Template ES2;
  - (iv) FM5;
  - (v) any questionnaire sought to be answered (not exceeding 4 pages); and
  - (vi) any other documentation vital to the court’s ability to approve the draft consent order.

7. It is expected that an application correctly filed at the FRC in accordance with this procedure will be considered by a judge and a response given by email (whether to approve the order or not to approve the order) at least three days prior to the date fixed for the First Appointment hearing. The judge will ordinarily only give short reasons for declining to approve the order. The judge may decide to contact the parties (most likely by email) if clarification of any matters may lead to approval of the order. Orders will not be approved where provision is made for further questionnaires to be raised which the judge has not had the opportunity to consider.
8. For the avoidance of doubt, if the court does not approve the draft agreed directions order, then the First Appointment will proceed at a hearing on the due date in the normal way and so the parties should not make arrangements on the assumption that the order will be approved. If no response has been received from the court in accordance with the above timescale then a request for a response should be made to the court by email.
9. This procedure cannot be used where the parties wish to dispense with an FDR Appointment and for the case to be listed solely for a final hearing. Accordingly, an agreed directions order must make provision for an FDR Appointment or for an agreed private FDR Appointment. For a court FDR Appointment the parties should insert the words “*on the first open date after “xx.xx.xxxx”*” taking account of the suggested dates for compliance with the other paragraphs in the draft order.
10. The FRC list office will try to assist the parties and their advisers by listing an FDR Appointment on a date in accordance with a list of available dates provided with the application but this must not unduly delay the FDR Appointment. For guidance, if the delay occasioned by availability of counsel exceeds four weeks it will generally be considered excessive and the matter listed on the first available date. Formulations such as “*on a date to be fixed by counsel’s clerks in accordance with counsel’s convenience*” or any provision permitting the later filing of available dates will not be acceptable, save where the case is proceeding at High Court Judge level and where this is permitted.
11. This procedure cannot be used where the case has been allocated to Circuit Judge or District Judge level and the parties wish for the case to be reallocated to High Court Judge level. In such circumstances the parties will need to make a separate application.
12. The FRC encourages the use of private FDR Appointments. If the parties have agreed a Private FDR Appointment the parties should comply with the relevant paragraphs of the FRC Good Practice Guide.
13. In drafting a consent order in accordance with this procedure the parties should address issues relevant to FPR 2010, rr9.15(1),(2),(3) and (7) and, if experts are involved, FPR 2010 Part 25 and Practice Direction 25D, and the directions sought must be intended to address these matters.
14. It is anticipated that the proper order for costs on any application in accordance with this procedure will be “*costs in the application*”, but other formulations may be permitted if they are agreed between the parties.

## Annex 3 – Standard Form of Draft Accelerated First Appointment Consent Order



**In the Family Court  
Sitting at**

**Case No:**

**[The Matrimonial Causes Act 1973]  
[The Civil Partnership Act 2004]  
[Schedule 1 to the Children Act 1989]**

**The [Marriage] [Civil Partnership] [Relationship]  
of [ ] and [ ]**

**ORDER MADE BY [ ] ON [ ]  
AT A FIRST APPOINTMENT HEARD AS A PAPER EXERCISE IN THE ABSENCE  
OF THE PARTIES UNDER THE ACCELERATED FIRST APPOINTMENT  
PROCEDURE**

### **1. The parties and their representation**

The parties are as follows:-

The applicant [ ]  
[acts in person]  
[is represented by counsel, namely ]  
[is represented by solicitor, namely ]

The respondent [ ]  
[acts in person]  
[is represented by counsel, namely ]  
[is represented by solicitor, namely ]

### **2. The court considered the documentation uploaded to the online portal in accordance with the Accelerated First Appointment Procedure, that is:**

- a. each party's financial statement in Form E filed in accordance with FPR 2010 r9.14(1);
- b. Template ES1;
- c. Template ES2;
- d. FM5;
- e. any questionnaire sought to be answered (not exceeding 4 pages);
- f. the terms of the draft agreed directions order signed by (or on behalf of) each party; and
- g. certain other documentation vital to the court's ability to approve the draft consent order, namely [ ].

3. The court satisfied itself that the draft agreed directions order contains appropriate directions to comply with FPR 2010 rr9.15(1),(2), (3) and (7).
4. The court noted that up to the date of the submission of this order for approval (i) the applicant has incurred costs of £[ ] in relation to these proceedings and expects to incur further costs of £[ ] up to the FDR Appointment; and (ii) the respondent has incurred costs of £[ ] in relation to these proceedings and expects to incur further costs of £[ ] up to the FDR Appointment.
5. The court noted that the applicant and the respondent have been informed of these figures by their respective legal representatives.

### Agreements

6. The parties have agreed that:-

*[set out what agreements, if any, have been reached about, for example, asset values]*

### IT IS ORDERED BY CONSENT THAT:-

7. The First Appointment listed on [ ] is hereby vacated on the basis that the court is satisfied that its duties pursuant to the FPR 2010 r9.15 have been satisfied by its scrutiny of the documents referred to above.
8. The case is listed for a Financial Dispute Resolution Appointment at [ ] on the first open date after xx.xx.xxxx (time estimate: [1 hour] [1 ½ hours]). The parties and their legal representatives (if any) must attend court at least one hour before this time to negotiate. **[Amend in relation to a private FDR Appointment to include reference to the subsequent directions hearing/mention].**
9. The parties must file and serve without prejudice or open offers in writing by no later than 7 days before the FDR Appointment.
10. The parties shall file and serve estimates of the costs likely to be incurred to take the matter to final hearing no later than 7 days before the FDR Appointment.
11. FPR 2010 PD27A – Family Proceedings: Court Bundles (Universal Practice to be applied in the High Court and Family Court) shall apply.
12. The court exercises its powers under FPR 2010 r9.15(8) to permit the parties not to attend the First Appointment hearing.
13. There be the following further directions **[questionnaires, valuation etc]:**  
  
[ ]
14. Costs in the application.

## Annex 4 – Template ES1

<b>NAME OF COURT</b>	
<b>NAME OF CASE</b>	<i>[eg: Sample v Sample]</i>
<b>CASE REFERENCE</b>	
<b>NAME OF JUDGE</b>	<i>[if known]</i>
<b>TYPE OF HEARING</b>	<i>[First Appointment, FDR, MPS, final hearing, directions etc.]</i>

<b>BACKGROUND</b>	
<b>Date of cohabitation</b>	<i>[put two dates if disputed]</i>
<b>Date of marriage</b>	
<b>Date of separation</b>	<i>[put two dates if disputed]</i>
<b>Duration of marriage</b>	<i>[put two periods if disputed]</i>
<b>Date of divorce order application</b>	
<b>Date of conditional order of divorce</b>	
<b>Date of final divorce order</b>	
<b>Date of Form A</b>	
<b>Date of First Appointment</b>	<i>[insert date and name of judge]</i>
<b>Date of FDR Appointment</b>	<i>[insert date and name of judge]</i>

<b>THE PARTIES</b>		
	<b>Applicant</b>	<b>Respondent</b>
<b>Name</b>		
<b>D.O.B. and current age</b>		
<b>Occupation</b>		
<b>Net income (per annum)</b>	<i>[if disputed, add asterisk*]</i>	<i>[if disputed, add asterisk*]</i>
<b>Present address</b>		
<b>Remarried or cohabiting?</b>	<i>[if disputed, add asterisk*]</i>	<i>[if disputed, add asterisk*]</i>
<b>Name and email address of solicitors (if any)</b>		
<b>Name and email address of barristers (if any)</b>		

<b>CHILDREN OF THE FAMILY</b>				
<b>First name</b>	<i>[first name]</i>	<i>[first name]</i>	<i>[first name]</i>	<i>[first name]</i>
<b>D.O.B. and current age</b>				
<b>Court order?</b>	<i>Yes/No</i>	<i>Yes/No</i>	<i>Yes/No</i>	<i>Yes/No</i>

<b>EXPERTS' REPORTS</b>		
<b>Type of Report</b>	<b>Name of Expert</b>	<b>Date of Report</b>

<b>OPEN OFFERS</b>		
<b>Party making the offer</b>	<b>Date of Offer</b>	<b>Date of response</b>

<b>LEGAL COSTS (ESTIMATES)</b>		
	<b>Applicant</b>	<b>Respondent</b>
<b>Total incurred to date</b>		
<b>Total outstanding</b>		
<b>Projected to FDR / Final hearing</b>		
<b>Subject to s.22ZA funding?</b>	<i>Yes/No/Sought</i>	<i>Yes/No/Sought</i>

<b>ISSUES IN THE CASE</b>	<b>Applicant</b>	<b>Respondent</b>
Asserting 'unmatched contributions'	Yes/No/unsure	Yes/No/unsure
Asserting 'conduct', per s.25(2)(g) MCA 1973?	Yes/No/unsure	Yes/No/unsure
Asserting non-disclosure of capital wealth?	Yes/No/unsure	Yes/No/unsure
Asserting non-disclosure of income resources?	Yes/No/unsure	Yes/No/unsure
Agreement as to housing needs?	Yes/No/unsure	Yes/No/unsure
Agreement as to income needs?	Yes/No/unsure	Yes/No/unsure
Seek a departure from equality?	Yes/No/unsure	Yes/No/unsure
Willing to consider forms of NCDR?	Yes/No/unsure	Yes/No/unsure

<b>ORDERS SOUGHT AT THIS HEARING (in brief summary)</b>	
<b>Applicant</b>	<b>Respondent</b>

<b>OTHER MATERIAL INFORMATION</b>	
<b>Applicant</b> [80 WORD LIMIT – bullet points]	<b>Respondent</b> [80 WORD LIMIT – bullet points]

# Annex 5 – Template ES2

**APPLICANT v RESPONDENT**

Case No: 1000-1000-1000-1000  
 Applicant: Name and surname  
 Respondent: Name and surname

Hearing: First Appointment  
 Date of hearing DD/MM/YY

ES2 Version: 1

GRAND TOTALS	H's case	W's case
Properties (net)	£0	£0
Bank accounts	£0	£0
Investments/Policies	£0	£0
Business Interests	£0	£0
Chattels	£0	£0
Other	£0	£0
Liabilities	£0	£0
<b>TOTAL NON-PENSION</b>	<b>£0</b>	<b>£0</b>
Pensions	£0	£0
<b>TOTAL INC. PENSIONS</b>	<b>£0</b>	<b>£0</b>

currency = £ 0.0000 currency = £ 0.0000 currency = £ 0.0000	HUSBAND		WIFE		JOINT	
	H's case	W's case	H's case	W's case	H's case	W's case
<b>PROPERTY (Legal Title)</b>						
<b>PROPERTY NAME</b> FAMILY HOME						
Gross Value					£0	£0
Less Mortgage					£0	£0
Less ERP					£0	£0
Less Costs of Sale (3%)					£0	£0
Less CGT					£0	£0
Net equity					£0	£0
<b>Value of Interest</b>					<b>£0</b>	<b>£0</b>
<b>PROPERTY NAME</b> H's sole name						
Gross Value	£0	£0				
Less Mortgage	£0	£0				
Less ERP	£0	£0				
Less Costs of Sale (3%)	£0	£0				
Less CGT	£0	£0				
Net equity	£0	£0				
<b>Value of Interest</b>	<b>£0</b>	<b>£0</b>				
<b>PROPERTY NAME</b> W's sole name						
Gross Value			£0	£0		
Less Mortgage			£0	£0		
Less ERP			£0	£0		
Less Costs of Sale (3%)			£0	£0		
Less CGT			£0	£0		
Net equity			£0	£0		
<b>Value of Interest</b>			<b>£0</b>	<b>£0</b>		
<b>PROPERTY NAME</b> Joint names						
Gross Value					£0	£0
Less Mortgage					£0	£0
Less ERP					£0	£0
Less Costs of Sale (3%)					£0	£0
Less CGT (combined)					£0	£0
Net equity					£0	£0
<b>Value of Interest</b>					<b>£0</b>	<b>£0</b>
	£0	£0	£0	£0	£0	£0
<b>BANK ACCOUNTS / CASH</b>						
<u>Account No.</u>						
<u>Husband</u>						
<u>Wife</u>						
<u>Joint</u>						
	£0	£0	£0	£0	£0	£0
<b>INVESTMENTS / POLICIES (inc. CGT)</b>						
<u>Husband</u>						
<u>Wife</u>						
<u>Joint</u>						
	£0	£0	£0	£0	£0	£0
<b>BUSINESS INTERESTS (inc. CGT)</b>						
<u>% share</u>						
<u>Husband</u>						
<u>Wife</u>						
	£0	£0	£0	£0	£0	£0
<b>CHATELS</b>						
<u>Husband</u>						
<u>Wife</u>						

Agreed Clarifications  
(no argument / submissions)

<u>Joint</u>						
	£0	£0	£0	£0	£0	£0
<b>OTHER</b>						
<u>Husband</u>						
<u>Wife</u>						
<u>Joint</u>						
	£0	£0	£0	£0	£0	£0
<b>LIABILITIES</b>						
<u>Husband</u>						
<u>Wife</u>						
<u>Joint</u>						
	£0	£0	£0	£0	£0	£0
<b>TOTAL NON-PENSION ASSETS (net)</b>	<b>Husband</b> H's case £0	<b>Wife</b> W's case £0	<b>Wife</b> H's case £0	<b>Wife</b> W's case £0	<b>Joint</b> H's case £0	<b>Joint</b> W's case £0
<b>PENSION ASSETS</b>	<b>Husband</b>		<b>Wife</b>			
	H's case	W's case	H's case	W's case		
<u>Husband</u>						
<u>Wife</u>						
	£0	£0	£0	£0		
<b>TOTAL INCLUDING PENSIONS</b>	<b>Husband</b> H's case £0	<b>Wife</b> W's case £0	<b>Wife</b> H's case £0	<b>Wife</b> W's case £0	<b>Joint</b> H's case £0	<b>Joint</b> W's case £0
<b>ANNUAL INCOMES</b>	<b>Husband</b>		<b>Wife</b>			
	H's case	W's case	H's case	W's case		
<u>Husband</u>						
Income source 1						
Income source 2						
Income source 3						
<u>Wife</u>						
Income source 1						
Income source 2						
Income source 3						
	£0	£0	£0	£0		
	<b>Per month</b>		<b>Per month</b>			
	£0	£0	£0	£0		