

FINANCIAL REMEDIES COURT

OVERALL STRUCTURE OF THE FINANCIAL REMEDIES COURT AND THE ROLE AND FUNCTION OF THE LEAD JUDGE

March 2026 Revision

Overall Structure of the Financial Remedies Court

1. The Financial Remedies Court (“FRC”) has been established as a subsidiary structure working within the Family Court. The President of the Family Division (“PFD”) formally announced on 24 February 2021 that the FRC is now to be regarded as “an established and permanent part of the Family Court”.
2. The FRC operates within the structure of powers delegated by the Lord Chief Justice to the President of the Family Division, who has in turn delegated powers to the Family Presiding Judges (“FPJs”).
3. The PFD has appointed a National Lead Judge of the Financial Remedies Courts (“NLJ”) to exercise the delegated powers in relation to financial remedies work in consultation with and alongside the FPJs. The PFD has also appointed a Deputy National Lead Judge of the Financial Remedies Courts (“DNLJ”) to assist the NLJ.
4. For the operation of the FRC the PFD has established geographical zones across England and Wales.
5. In each zone the PFD has appointed (in consultation with the relevant FPJ and the NLJ) a Lead Judge (“LJ”).
6. The FRC publishes an up-to-date list of courts covered by each of the FRC zones and the LJ for each zone from time to time.
7. The FRC operates within the overall structure of Her Majesty’s Courts and Tribunal System (“HMCTS”). HMCTS has appointed a Head of Service (“HoS”) and Deputy Head of Service (“DHoS”) to work with and for the NLJ and DNLJ on a national level in relation to FRCs. HMCTS has also appointed a Financial Remedies Court Single Point of Contact (“FRC SPOC”) for each zone who will work with and for the relevant LJ and also report to the HoS and DHoS.
8. This document has been designed as a working tool to assist the LJ of each designated zone of the FRC to fulfil the important role and functions described in the document. It is recognised that those who undertake this work will be individuals apt to impose their own solutions on issues as and when they arise, but in so far as it is possible it is suggested that LJs should follow the spirit and detail of this document and of other measures agreed and approved by the NLJ (avoiding local solutions which are

contrary to national guidance) and should liaise with and answer to both the NLJ and the FPJ covering the geographical area in which their zone is situated.

9. This document has been drawn up by the NLJ and the DNLJ and, after consultation with the FPJs and the existing LJs, has been approved by the PFD.
10. It is anticipated that, whilst the individuals holding the positions of NLJ, DNLJ, LJ, HoS, DHoS, and FRC SPOC may change from time to time, the posts will be filled by those appointed by the PFD and HMCTS respectively, as and when a vacancy arises.

The role of Lead Judge

11. Every LJ has a designated FRC zone which will cover an identified geographical area and a number of identified courts.
12. The LJ will have overall responsibility for the efficient and effective administration of the financial remedies work conducted within that zone and, for these purposes, work with and for, and liaise with and answer to the NLJ and the relevant FPJ, and will work with the relevant FRC SPOC.
13. In particular the LJ will have responsibility within and in relation to the relevant FRC zone for:-
 - (i) attending and contributing to meetings called by the NLJ to discuss matters pertinent to the operation of the FRC;
 - (ii) conducting a process of selection exercise of FRC Judges (including, where possible, individual Circuit Judges, Recorders, District Judges and Deputy District Judges) for inclusion in the list of those who may carry out financial remedies work in the zone;
 - (iii) ensuring that such Judges receive appropriate training before sitting as an FRC Judge in accordance with such policy announcements as are made by the NLJ from time to time, including such training arrangements by the Judicial College and any sitting in with established FRC Judges considered to be necessary or appropriate;
 - (iv) ensuring that (save in exceptional circumstances where such a judge is not available and resource implications so require), the FRC Financial Remedies Guide is observed so that no case involving financial remedies shall be dealt with by a judge who is not an FRC Judge (for the avoidance of doubt an FRC judge in one FRC zone may deal with financial remedies cases in any other zone, and a FRC fee-paid judge shall continue to be a FRC Judge in the event of taking up a full time salaried judicial position);
 - (v) ensuring that the list of FRC Judges is kept up to date, reporting to the NLJ (or DNLJ), HoS (or DHoS) and the SPOC, the identities and email addresses of these judges;

- (vi) identifying FRC Judges who are suitable to carry out financial remedies work of a complex nature, keeping a list of such judges to whom complex cases can be allocated and ensuring that there is a system of allocation which ensures that complex cases are allocated to these judges;
- (vii) ensuring that there are enough FRC Judges on the list to carry out the financial remedies work in the zone and that the work is listed in a sensible and timely manner with as much expedition as is possible in the context of overall resources;
- (viii) ensuring that the allocations procedure within the zone is established and executed in a way which is appropriate, efficient and effective in the context of particular geographical and other considerations, and which utilises fairly and appropriately the skills and abilities, commitment and availability of all the FRC Judges in the zone;
- (ix) providing leadership to, consultation with, and ensuring the exchange of all FRC relevant information to and from, the FRC Judges in the zone;
- (x) liaising and consulting with any relevant FPJ, Designated Family Judge (“DFJ”) or Designated Civil Judge (“DCJ”) on the overall deployment of judicial resources;
- (xi) ensuring that, as far as is possible within the overall deployment of HMCTS resources, IT systems for the FRC, including the consent orders online portal and the contested cases online portal, are deployed and utilised for the more effective and efficient performance of the FRC, including the routine use of electronic bundles and the appropriate use of remote hearings for suitable cases;
- (xii) ensuring that the consent order online portal operates for the efficient and timely approval of financial remedies consent orders and executed in a way which distributes the work fairly and with administrative convenience between FRC Judges;
- (xiii) considering the data provided by HMCTS data dashboard and adapting and amending practices in response to such data;
- (xiv) holding meetings between FRC Judges within the zone to ensure the dissemination and discussion of court performance data, to encourage consistent practices and to ensure information about national practices and policies approved by the NLJ are known about and being implemented;
- (xv) ensuring the regular analysis and review of performance statistics within the zone and its comparison with comparable information from other zones;
- (xvi) maintaining regular contact and provide mentoring and pastoral support with other judges including any of those who are off sick, in liaison with the local DFJ or DCJ;

- (xvii) dealing appropriately with any work or other problems which arise and in a case where another judge's performance gives cause for concern, meeting to discuss the issue and support the judge in identifying the difficulty and in finding ways to overcome it in liaison with the local DFJ or DCJ and, if necessary, bringing any issues to the attention of the NLJ and/or the FPJ;
 - (xviii) supporting effective arrangements for the mentoring and training of fee-paid judges in liaison with the local DFJ, DCJ and FPJ;
 - (xix) ensuring as far as possible that any relevant guidance on effective case management is promulgated and put into effect in the zone, including in relation to the selection of attended versus remote hearings;
 - (xx) where appropriate and necessary, and after consultation with the NLJ (and subject to their agreement) prescribing local practices and procedures designed to improve performance and to enable the courts to discharge business more promptly and effectively;
 - (xxi) ensuring a procedure for appeals within the zone which is in accordance with policies approved by the NLJ;
 - (xxii) ensuring that relevant changes in practice and procedure (whether through legislation, regulation, rule, guidance or change of practice directions) are brought to the attention of, and ensure that they are effectively implemented by, the judiciary, administration and practitioners in the zone;
 - (xxiii) ensuring the maintenance and building of good relationships with those financial remedies practitioners (including lawyers, mediators, arbitrators etc) working in the zone;
 - (xxiv) working with and maintaining close working relationships with the relevant FRC SPOC and all other court staff working in the FRC; and
 - (xxv) acting as a liaison point with the NLJ, FPJ and other members of the judiciary, recognising the importance of maintaining the key link between FRC judges in the zone, the NLJ and DNLJ, the relevant FPJ, and through them to the PFD.
14. The tenure of each LJ shall ordinarily last for four years from appointment, but a LJ may be reappointed for another term.