

## **THE SINGLE FAMILY COURT**

### **Q&A FOR HMCTS STAFF**

#### **What is the single Family Court?**

The single Family Court will be a national Court for all family proceedings in England and Wales. Family cases will no longer be heard by the County Court or the Family Proceedings Court, and will instead be heard by the Family Court. Local jurisdictional boundaries will disappear. In this respect, the Family Court will be similar to the Crown Court, which is also a national court that sits at many locations in England and Wales.

The Family Court will be able to sit anywhere. In reality though, it will usually sit at the County Courts and Magistrates Courts where family work is currently heard.

#### **What will be different?**

Proceedings will be issued by the Family Court rather than by the County Court or Family Proceedings Court, and will be allocated to a level of judge according to their type and complexity.

Over time, it will be more commonplace for judges to hear cases at buildings that are currently Family Proceedings Courts, and for magistrates to hear cases at buildings that are currently County Courts. The Family Court will sit at both locations and any level of judge will be able to hear cases at any location where the Family Court is sitting.

However, the way that family cases are managed, heard and administered on a day to day basis will be largely the same as it is now. The single Family Court is about having a single jurisdiction and ensuring that cases are heard by the right type of judge, not about changing the way judges and magistrates hear cases themselves.

#### **When will it happen?**

The new Court will be launched in April 2014, subject to the passage of the Crime and Courts Bill.

#### **Why is this happening?**

Parties are often confused by the current system, where family work is heard in County Courts and Magistrates' Courts. From April 2014, applicants will send their applications to the Family Court rather than to the County Court or the Family Proceedings Court.

Managing family work is difficult with two courts operating at the same time. Cases are often heard in the wrong court, and transfers between courts are commonplace, adding to delay and confusion.

Having a single Family Court will address these problems and also mean that magistrates, legal advisers, judges and the DFJ will be able to work more closely together.

#### **How will the court be managed?**

The Designated Family Judge (DFJ) will have an increased role in leading the Family Court and managing its workload in distinct areas across England and Wales. These distinct areas will still be called DFJ areas. Each DFJ area will have a Designated Family Centre which will be the principal family court location for each DFJ area. This is the location where all family applications from that DFJ area will be sent to for initial consideration. Care centre and specialist court status (e.g. forced marriage or

adoption) will no longer be used to describe locations where the Family Court is sitting.

Justices Clerks will retain management of legal advisers, and HMCTS management structures - Cluster Managers, Heads of CFT, Operational and Delivery Managers - will be unaffected. HMCTS regions will also be unaffected.

### **What will it mean for me?**

How HMCTS staff support the judiciary and legal advisers in the administration of family cases on a day to day basis will not really change. Family cases will still need HMCTS staff to administer them through the Family Court.

What may change is how family work is received, distributed and listed within your DFJ area. In some areas this will mean that more family work will be heard at the Designated Family Centre, with allocation and listing being managed from that location, with some other work taking place elsewhere.

The extent to which this could change really does depend on where you are. Many areas already handle family work in a way that is consistent with the way the single Family Court will operate, for example where family administration teams have already been unified, and where new applications are dealt with from a central location. There will be some changes to Familyman and CMS to reflect the new Court, once it is in operation.

Other areas may need to change the way that family work is handled, and where administration teams are located, but no court closures or redundancies are anticipated as a direct result of the single Family Court. As ever, any changes will be managed in accordance with the Managing Organisational Change framework.

More work is needed to confirm all the locations that will become Designated Family Centres, and the picture will vary from region to region. But you can ask your line manager for more information on what the single Family Court may mean for your location.

### **What happens next?**

We will keep you updated as the regional and local plans for the new Court become clearer. Plans to implement the new Court are in hand and will become clearer for each region and DFJ area during June and July.

We will ensure that if any staff training is required for staff on how the new Court will operate, it will be made available as necessary.