**In the Family Court Case no. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Sitting at** Choose an item.

**The Children Act 1989**

**The child[ren]**

|  |  |  |
| --- | --- | --- |
| **Name** | **Gender** | **Date of Birth/ Age** |
|  |  |  |
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**IT IS IMPORTANT THAT YOU READ ALL OF THESE DIRECTIONS AS THEY SET OUT WHAT WILL HAPPEN NEXT AND WHAT YOU NEED TO DO.**

**Issue and Allocation Order made on: CLICK TO SELECT A DATE**

**Confidentiality warning**

**The names of the family and the child[ren] are not to be disclosed in public without the permission of the court.**

**Reporters in 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 about this is available at** [**www.cumbriadfj.info**](http://www.cumbriadfj.info) **on the ‘Reporters in the Family Court’ page.**

1. **The parties:**

1. The Applicant is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the [*relationship to c**hild]*
2. The Respondent is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the [*relationship to child*]
3. **Applying to Change this Order:**
   1. This Order has been made without any party being present. You have the right to apply to court to change this order providing and such application is made (i) within 5 days of receiving a copy of this order and (ii) the other parties are sent a copy of the application.
   2. Application to change this order must be made on Form C2 (see “Communicating with the Court” below).
4. **Communicating with the Court:**
   1. The following directions shall apply with respect to email communication by the parties with the Judge, Legal Adviser or Magistrate or the Court Office in these proceedings:
      1. Applications for directions / variation of directions or orders must be made by way of Form C2 and the relevant fee paid. Any such application that is not issued on the relevant form together with payment of the relevant fee **will not be accepted**.
      2. No party shall email the Judge direct, save with the express prior permission of the Judge. Emails to the Court Office should be exceptional and only where the nature of any such communication cannot be dealt with by way of paragraph 1 above.
      3. The parties shall not email statements, reports, care plans or other documentary evidence to the Judge or the Court Office informally but shall file such evidence with the court in accordance with the directions made by the court and in the manner prescribed by the Family Procedure Rules 2010.
      4. In the rare cases it is necessary for an enquiry to be made of the Judge via the Court Office with respect to the conduct of a case, the parties shall agree the question to be put to the Judge before communicating with the Court Office. One party only shall email the Court Office with the agreed question to be determined, together with each parties’ position.
      5. When emailing the Court Office in accordance with the terms of this order, all parties must be copied into the email sent to the court.
      6. The parties shall not copy the Judge or Court Office into email communications taking place between the parties concerning the proceedings.
   2. Copies of Form CB1 “Making an Application – Children and Family Courts” and Form C2 “Application for an Order or directions in existing proceedings” are available [www.cumbriadfj.info/court-forms](http://www.cumbriadfj.info/court-forms)
5. **Court Dealing with this Case:**
   1. The Court has determined that this case is suitable for allocation to Choose an item.
   2. The Court has determined that a hearing is required in this case and it will be listed for a Choose an item.
6. **The Next Hearing:**
   1. There will be a Hearing on Click or tap to enter a date. at Choose an item. allowing Choose an item..
   2. The hearing will take place at Choose an item..
   3. The hearing shall be Choose an item..
   4. In addition to the parties, the Cafcass Officer shall also attend.
   5. In addition to the parties the Social Worker shall also attend.
   6. Anyone attending the hearing must arrive at court no less than 20 minutes before the hearing is due to start.
   7. Anyone attending this hearing must report to reception upon arrival.
7. **Further Directions about Attendance at Hearings:**
   1. The following persons may appear at the hearing listed above via video. They are to ensure, within seven days of receipt of this Order, that they provide the Court with their contact email address and telephone number if they wish to attend remotely. A link to the hearing will be emailed to them in advance of the hearing to enable them to join the hearing.
      1. The CAFCASS Officer (delete as applicable)
      2. The Social Worker (delete as applicable)
   2. If possible, any discussions about the case should have been undertaken and concluded with the other party before attending Court as the Court cannot guarantee that there will be rooms available for private discussions. All legal representatives are to have full instructions prior to attending the Court House.
   3. All participants in the hearing can bring an electronic device, such as a laptop or tablet, to the hearing to read any Court documentation they have received electronically.
   4. An electronic bundle containing the relevant papers for the case is to be provided by the legal representative of the applicant or the legal representative of the respondent if the applicant is not legally represented.
   5. **It is the responsibility of each party to attend any hearing with the documents they need for the hearing, on an electronic device or in paper form. The court will not provide electronic devices on which parties can read documents and will not provide or copy documents for parties. Parties are strongly advised to keep all documents relating to this matter safe and in date order, to allow them to refer to the easily when they attend court.**
   6. If any party has requested an interpreter for the hearing that will be arranged by the Court (the expenses of which are a reasonable disbursement on the parties legal aid certificate if appropriate). The interpreter will join the hearing.
8. **Special Arrangements or Measures for a Hearing:**
   1. If a party requires special arrangements or measures to ensure they can participate effectively and give their best evidence in the hearing, then they are to apply to court as soon as possible. Examples of special measures include a separate waiting area, screens between the parties in the Court room, one party appearing by video and more breaks if a party would struggle to sit/concentrate for any length of time.
   2. More information about Special Measures can be found on here: cumbriadfj.info/safety-at-court.
9. **If a party is unable to attend a hearing in person:**
   1. If any party is unable to attend the Court House for the hearing, please make an application in accordance with paragraph 3 above to the Court and other parties within 3 days of them being aware that they cannot attend. The application must include:
      1. Details as to why the party cannot attend, with evidence if appropriate and available; and
      2. Confirmation whether they could continue to attend remotely i.e. by video or telephone.
   2. Once this is received the Court will consider how best to proceed with the hearing and the parties will be notified.
10. **Video or Telephone Hearings:**
    1. If the Court directs that a hearing shall take place by video or telephone the court will send an invitation to the email address included on the Application Form (Form C100) or Acknowledgement (Form C7) unless you notify the court that your contact details have changed.
    2. You must email [can we put one email address in here for all three courts or does it need to be selected from a menu depending on where the case was issued?] with:
       1. The Case Number (found at the top of this order) followed by your name, in the Subject Line;
       2. Your email address in the body of email; and
       3. Your contact telephone number in the body of the email.
    3. This must be done no less than 48 hours before the hearing is due to start or as soon as possible if the hearing is listed as an emergency. If you do not contact the court in accordance with these instructions the details used by the court will be the last known contact details held on the court file (e.g. from Application Form or Acknowledgement Form). If you do not notify the court of your up-to-date contact details the hearing is likely to proceed and the court make orders in your absence. It is each parties’ responsibility to ensure that the court has up to date contact details before any hearing.
    4. Any legal representatives attending the hearing must also comply with paragraph 9(b).
    5. No unauthorised person may be present at any remote hearing. When asked, each legal representative and party must be able to confirm that no unauthorised person is in attendance or able to listen to or record the hearing. No party may make any video and/or audio recording of the hearing. The hearing must be recorded by the court and the authorised telephone conference host facilities.
11. **Service of Court Orders:**
    1. These directions and any subsequent orders will be deemed to have been served upon the parties once they have been posted to the address the Court holds for the parties or by any other method of service deemed appropriate by the Court.
    2. Each party is responsible for ensure that the court has up-to-date correspondence addresses.
12. **Compliance with Court Orders:**
    1. The court must not be sent documents and/or evidence that has not also been provided to the other party or parties unless, exceptionally, the court gives permission. Permission should be sought by way of a specific application pursuant to paragraph 3 above.
    2. The court must not be sent documents or evidence that has not either been ordered by the court or permitted by the Family Procedure Rules 2010. The court may ignore or exclude from consideration evidence that has been filed without permission.
    3. **It is the responsibility of each party to comply with directions or seek to vary them (e.g. if evidence cannot be filed on time) in accordance with paragraph 3 above.**
    4. For the avoidance of doubt, paragraph 3, 6, 7, 8, 9, 10 and 11 of this order apply until the conclusion of this case and to every hearing unless varied by the court by a later order.
13. **Evidence – Allegations of Domestic Abuse**
    1. Having considered the Application, Acknowledgement and Cafcass Letter the court considers that this matter *may* require a hearing at which allegations concerning the parties past behaviour towards each other and/or the child[ren] need to be determined by the court (a fact-finding hearing).
    2. The following directions are given to assist the court in reach a decision as to whether a fact finding hearing will be necessary and proportionate in order to determine welfare issues with respect to the child[ren].
    3. Parties should note that note the court is not requiring a full statement concerning the issues and allegations at this stage but a list and summary only as directed below. The court will consider the need for further statements or evidence at the hearing.
    4. By no later than 4 pm on Click or tap to enter a date. the Applicant shall send to the court and to the other parties a list of allegations of alleged domestic abuse against the respondent. The list:
       1. Shall be in date order (chronological);
       2. Each individual allegation shall be in a new paragraph and each paragraph shall be no more than 50 words long (or less if possible);
       3. Each allegation shall include a short summary of the allegation;
       4. The list shall be headed with the case number and the names of the parties/child[ren];
       5. The list shall be typed if possible;
       6. The list shall be signed and dated by the relevant party;
       7. The list will conclude with the a ‘Statement of Truth’ in the following form: ““I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth. I believe that the facts stated in this witness statement are true.”
    5. By no later than 4 pm on Click or tap to enter a date. the Respondent shall send to the court and to the other parties a list in response to the allegations made by the Applicant. The list in response:
       1. Shall be in date order (chronological) following the same numbered paragraphs as the Applicant’s list;
       2. Each individual response shall be in a new numbered paragraph indicating whether the allegation is admitted or denied and providing the context of any admission or denial that is no more than 50 words long (or less if possible);
       3. The list shall be headed with the case number and the names of the parties/child[ren];
       4. The list shall be typed if possible;
       5. The list shall be signed and dated by the relevant party;
       6. The list will conclude with the a ‘Statement of Truth’ in the following form: ““I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth. I believe that the facts stated in this witness statement are true.”
       7. If the Respondent makes any allegations of domestic abuse against the Applicant, the Respondent shall also set them out in a further chronological list in the same format and complying with the same directions as set out in paragraph (d) above.
    6. If the Respondent makes allegations against the Applicant in accordance with paragraph (e)(vii) above, the Applicant shall send to the court and to the other parties by no later than 4 pm on Click or tap to enter a date. a list of responses complying with the same format and directions as set out in paragraph (e) above.
14. **Evidence – Allegations of Health Issues:**
    1. The court notes that the Applicant makes allegations that the respondent has health issues (physical or mental) that are asserted to be relevant to the welfare of the child.
    2. The Respondent shall by no later than 4 pm on Click or tap to enter a date. obtain, send to the court and the other parties a letter from a treating clinician (either the Respondent’s GP or if possible treating consultant or mental health professional) which details:
       1. Any diagnosis the Respondent has with respect to physical or mental health issues;
       2. How any diagnosed conditions affect the Respondent (if at all);
       3. The treatment and/or support the respondent is receiving at present; and
       4. The prognosis with respect to any identified issues.

**Order made by:**

Notes on Completing this order:

1. A copy of this order can be downloaded from the [www.cumbriadfj.info](http://www.cumbriadfj.info) website. Go to “Info: Professionals” and then “Template Orders”.
2. Please delete any irrelevant paragraphs, **including these notes**.
3. When completed please:
   1. Select all of the text by pressing [CTRL] + A
   2. Change the colour of all the text to black by Right Clicking on the highlighted text and clicking on the capital A and selecting “Automatic”
   3. With all the text still highlighted, Right Click again and select “Remove Content Control”. This will ‘fix’ all the dropdown boxes in place.
   4. Save the final version of the order.