

PRIVATE LAW CHILDREN ORDERS

B: Case Management & Section 8 Orders

(25/01/16 revision)

Note for using this form

This form is not intended to contain the full text of orders which will be made at the conclusion of the hearing. It allows participants to indicate those parts of the order specific to them, including the dates by which steps have to be taken and which of the parties is responsible for what tasks. Any uncertainties should be addressed by the parties with the Judge before the hearing concludes.

Tick boxes as appropriate

Having completed the form as required, please indicate below which of the paragraphs have been used and number the pages used

- B1 Identity of court
- B2 Date
- B3 Parties
- B4 Other attending parties
- B5 Warning notices
- B6 Recitals if required
- B7 Reasons for hearing
- B8 No or short notice
- B9 Agreed issues
- B10 Non agreed issues
- B11 Other issues
- B12 Order
- B13 Allocation
- B14 Jurisdiction
- B15 Evidence of Capacity
- B16 Appointment of L/F
- B17 Invitation to Official Solicitor
- B18 Permission to apply
- B19 Permission to Withdraw
- B20 Disclosure or whereabouts
- B21 Recovery of Child
- B22 Appointment of Guardian
- B23 Guardian's report
- B24 Joining other parties
- B25 Parental Responsibility
- B26 Special Guardianship
- B27 Attendance at MIAM
- B28 Family Assistance Order
- B29 CAFCASS Safeguarding check
- B30 Orders "living with"

- B31 Orders "contact with"
- B32 Contact Centre
- B33 Contact Directions
- B34 Indirect contact
- B35 Specific Issue Order
- B36 Prohibited Steps Order
- B37 Penal Notice
- B38 Right to Apply
- B39 Activity directions
- B40 Alcohol/drug testing
- B41 Paternity testing
- B42 Paternity tests through CAFCASS
- B43 Paternity tests not through CAFCASS
- B44 Witness Statements
- B45 Finding of Fact hearing
- B46 Preparation for F of F hearing
- B47 Police Disclosure
- B48 Medical Disclosure
- B49 Section 7 Report
- B50 Monitoring by CAFCASS
- B51 Section 37 Report
- B52 Permission for Expert
- B53 Compliance with PD25C
- B54 Interpreters
- B55 Next hearing
- B56 Further Hearings
- B57 Bundles for trial
- B58 Costs
- B59
- B60

PRIVATE LAW CHILDREN ORDERS

B: Case Management & Section 8 Orders

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| B1 <i>Family Court at:</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B2 <i>Date:</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B3 <i>Parties:</i> | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center; vertical-align: top;">[1]</td> <td style="width: 65%; border-bottom: 1px dotted black;"></td> <td style="width: 10%; text-align: right; vertical-align: top;"><input type="checkbox"/> Applicant</td> <td style="width: 20%; text-align: right; vertical-align: top;"><input type="checkbox"/> Respondent</td> </tr> <tr> <td></td> <td style="padding-left: 20px;"><input type="checkbox"/> in person <input type="checkbox"/> with solicitor <input type="checkbox"/> with counsel</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: top;">[2]</td> <td style="border-bottom: 1px dotted black;"></td> <td style="text-align: right; vertical-align: top;"><input type="checkbox"/> Applicant</td> <td style="text-align: right; vertical-align: top;"><input type="checkbox"/> Respondent</td> </tr> <tr> <td></td> <td style="padding-left: 20px;"><input type="checkbox"/> in person <input type="checkbox"/> with solicitor <input type="checkbox"/> with counsel</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: top;">[3]</td> <td style="border-bottom: 1px dotted black;"></td> <td style="text-align: right; vertical-align: top;"><input type="checkbox"/> Applicant</td> <td style="text-align: right; vertical-align: top;"><input type="checkbox"/> Respondent</td> </tr> <tr> <td></td> <td style="padding-left: 20px;"><input type="checkbox"/> in person <input type="checkbox"/> with solicitor <input type="checkbox"/> with counsel</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: top;">[4]</td> <td style="border-bottom: 1px dotted black;"></td> <td style="text-align: right; vertical-align: top;"><input type="checkbox"/> Applicant</td> <td style="text-align: right; vertical-align: top;"><input type="checkbox"/> Respondent</td> </tr> <tr> <td></td> <td style="padding-left: 20px;"><input type="checkbox"/> in person <input type="checkbox"/> with solicitor <input type="checkbox"/> with counsel</td> <td></td> <td></td> </tr> </table> | [1] | | <input type="checkbox"/> Applicant | <input type="checkbox"/> Respondent | | <input type="checkbox"/> in person <input type="checkbox"/> with solicitor <input type="checkbox"/> with counsel | | | [2] | | <input type="checkbox"/> Applicant | <input type="checkbox"/> Respondent | | <input type="checkbox"/> in person <input type="checkbox"/> with solicitor <input type="checkbox"/> with counsel | | | [3] | | <input type="checkbox"/> Applicant | <input type="checkbox"/> Respondent | | <input type="checkbox"/> in person <input type="checkbox"/> with solicitor <input type="checkbox"/> with counsel | | | [4] | | <input type="checkbox"/> Applicant | <input type="checkbox"/> Respondent | | <input type="checkbox"/> in person <input type="checkbox"/> with solicitor <input type="checkbox"/> with counsel | | |
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| | <input type="checkbox"/> in person <input type="checkbox"/> with solicitor <input type="checkbox"/> with counsel | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| [2] | | <input type="checkbox"/> Applicant | <input type="checkbox"/> Respondent | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | <input type="checkbox"/> in person <input type="checkbox"/> with solicitor <input type="checkbox"/> with counsel | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B4 <i>Other parties attending:</i> | <input type="checkbox"/> CAFCASS Officer <input type="checkbox"/> Social Worker: <input type="checkbox"/> Guardian: <input type="checkbox"/> Others: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B5 <i>Warning Notices</i> | <input type="checkbox"/> The above names are not to be publicly disclosed without the court’s permission <input type="checkbox"/> This order includes a child arrangements order (the part of the order setting out living arrangements for a child and about time to be spent or contact with another person). If you do not do what the child arrangements order says you may be sent to prison and/or fined, made to do unpaid work or pay financial compensation <input type="checkbox"/> It is a criminal offence to take a child out of the UK without the consent of everybody with parental responsibility unless the court has given permission. However, if an order has been made that a child is to live with a person, that person may take that child out of the UK for up to a month at a time <input type="checkbox"/> While a child arrangements order is in force in respect of a child nobody may cause the child to be known by a new surname without the consent of everybody with parental responsibility or the court’s permission. <input type="checkbox"/> A penal notice is attached to parts of this order. That means that if you do not do what those parts of the order say, you may be sent to prison, fined and/or your assets may be seized | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| <p>B7 Reason for hearing <input type="checkbox"/></p> | <ul style="list-style-type: none"> <input type="checkbox"/> first hearing following original application <input type="checkbox"/> as directed at last hearing <input type="checkbox"/> at the request of <input type="checkbox"/> at the court's own initiative because |
| <p>B8 No notice, or Short notice <input type="checkbox"/></p> | <ul style="list-style-type: none"> <input type="checkbox"/> this hearing has been listed without notice. (<i>or</i>) <input type="checkbox"/> this hearing has been listed at short notice because: |
| <p>B9 Issues agreed by the Parties <input type="checkbox"/></p> | <p>The parties have agreed that:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The children will live with <ul style="list-style-type: none"> <input type="checkbox"/> for the time being; <input type="checkbox"/> and this is not being challenged <input type="checkbox"/> The children will spend time with as set out in the schedule to these recitals and subject to any conditions detailed below <input type="checkbox"/> (other) |
| <p>B10 Issues not agreed by the parties <input type="checkbox"/></p> <p><i>(tick the boxes)</i></p> | <p>The issues that need to be decided by the court include the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> who the children should live with; <input type="checkbox"/> whether they should spend time with the other parent, and if so then; <ul style="list-style-type: none"> <input type="checkbox"/> how often that should be; <input type="checkbox"/> whether it should include overnight and longer stays; <input type="checkbox"/> whether it should be supervised or supported in some way; <input type="checkbox"/> whether it should be limited to indirect contact by post or by telephone <input type="checkbox"/> (other) |
| <p>B11 Other issues <input type="checkbox"/></p> <p><i>(if applicable)</i></p> | <p>There are other issues to be determined</p> <ul style="list-style-type: none"> <input type="checkbox"/> concerning the children's education; <input type="checkbox"/> concerning the children's name or paternity; <input type="checkbox"/> concerning holidays or travel plans; <input type="checkbox"/> (other) |

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| B12 Order <input type="checkbox"/> | It is ordered <input type="checkbox"/> by consent |
| B13 Allocation <input type="checkbox"/> | Case management and hearings are allocated to a District Judge / Justices and reserved to District Judge |
| B14 Jurisdiction <input type="checkbox"/> | <p>The Court is satisfied that the child(ren) is / are habitually resident in England and Wales, or</p> <ul style="list-style-type: none"> <input type="checkbox"/> it provisionally appears to the court that the child(ren) is / are habitually resident in England and Wales <input type="checkbox"/> the court is satisfied that although the child(ren) is / are not habitually resident in England and Wales, it has power to deal with this case and the court gives the following directions: <i>(attach as required)</i> <input type="checkbox"/> there is an issue as to whether the court has power to deal with this case and the court gives the following directions... <i>(attach as required)</i> <input type="checkbox"/> the court shall liaise with the consular authority in England and Wales or other competent authority in in relation to the proceedings or makes a request to the Central Authority of for such information as may be relevant to determine the issues of jurisdiction |
| B15 Evidence as to Capacity <input type="checkbox"/> | <p>So the court can make a decision about the appointment of a Litigation Friend for, the must by 4.00pm on/...../..... file a capacity report on the by</p> <ul style="list-style-type: none"> <input type="checkbox"/> a general practitioner; <input type="checkbox"/> the treating consultant; <input type="checkbox"/> a psychiatrist; <input type="checkbox"/> (other) <input type="checkbox"/> any fees charged for the report will be paid by |
| B16 Appointment of Litigation Friend <input type="checkbox"/> | <p>The court, being satisfied that the lacks capacity, appoints as litigation friend for that party</p> |
| B17 Invitation to Official Solicitor <input type="checkbox"/> | <p>The court being satisfied that the lacks capacity and that there is no suitable person to act as litigation friend, the Official Solicitor is invited to act as litigation friend.</p> <ul style="list-style-type: none"> <input type="checkbox"/> the court do send a copy of the court file to the Official Solicitor who shall notify the court of his willingness to act by/...../..... |
| B18 Permission to apply <input type="checkbox"/> | <p>The has permission to apply for:</p> <ul style="list-style-type: none"> <input type="checkbox"/> a child arrangements order; <input type="checkbox"/> a prohibited steps order <input type="checkbox"/> a specific issues order <input type="checkbox"/> a special guardianship order <input type="checkbox"/> |

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| <p>B19 <i>Permission to withdraw</i> <input type="checkbox"/></p> | <p>The has permission to withdraw his / her application for:</p> <ul style="list-style-type: none"> <input type="checkbox"/> a child arrangements order <input type="checkbox"/> a prohibited steps order <input type="checkbox"/> a specific issue order <p>and the application is recorded by the court as withdrawn</p> |
| <p>B20 <i>Disclosure of child's whereabouts (S 33 FLA 1986)</i> <input type="checkbox"/></p> | <p>..... must by 4.00pm on/...../..... tell the court, in writing, the whereabouts and address(es) of the child(ren) together with full details of their school(s).</p> <p>Form EX670 be issued and served to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Department of Work and Pensions; <input type="checkbox"/> HM Revenue and Customs <p>Upon receipt, such information shall be held by the court as confidential and not disclosed to the parties without permission of the court.</p> <p>The person or authority to whom this order is directed may apply to the court within seven days of service for it to be discharged or varied</p> |
| <p>B21 <i>Recovery of child (S34 FLA 1986)</i> <input type="checkbox"/></p> | <p>An officer of the court or a Police Officer is authorised to take charge of the child/ren and deliver him / them to</p> <p>The child(ren)'s address is believed to be</p> <p>..... the child(ren) is / are believed to be in the control of</p> <p>..... The date of the original order is/...../.....</p> |
| <p>NOTE TO THE OFFICE <input type="checkbox"/></p> | <p><i>Please complete a separate order using Appendix A at the end of this form inserting the name gender and date of birth of the child(ren) and using the information given above</i></p> |
| <p>B22 <i>Appointment of Guardian (Rule 16.4)</i> <input type="checkbox"/></p> | <p>The child(ren) are added as parties to the proceedings in their own right and the following shall be appointed to act as Guardian:</p> <ul style="list-style-type: none"> <input type="checkbox"/> an officer of CAFCASS <input type="checkbox"/> (other) <p>The Court shall send a copy of this order to the CAFCASS Service Manager who shall allocate an officer as Guardian promptly and tell the court who has been appointed.</p> <p>If CAFCASS is unable to appoint a Guardian within 7 days of service of this order, they shall tell the court straightaway</p> |
| <p>B23 <i>Guardian's Report</i> <input type="checkbox"/></p> | <p>The Guardian shall file a report by 4.00pm on/...../.....</p> <ul style="list-style-type: none"> <input type="checkbox"/> and shall send a copy to the parties; <input type="checkbox"/> and may send a copy to the parties at the Guardian's discretion <input type="checkbox"/> but must not disclose it to the parties without further directions |

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| <p>B24 <i>Joining other parties</i> <input type="checkbox"/></p> | <p>..... is added as a party to these proceedings</p> <ul style="list-style-type: none"> <input type="checkbox"/> limited for the purpose only of responding to the allegations made against him/her <input type="checkbox"/> limited for the purpose of <input type="checkbox"/> the only documents that may be provided to that party are those necessary to deal with <input type="checkbox"/> the shall provide that party with copies of the necessary documents. |
| <p>B25 <i>Parental Responsibility</i> <input type="checkbox"/></p> | <p>Parental Responsibility is granted to in respect of the child(ren)</p> |
| <p>B26 <i>Special Guardianship</i> <input type="checkbox"/></p> | <p>..... are appointed as Special Guardians in respect of the child(ren):</p> |
| <p>B27 <i>Attendance at MIAM</i> <input type="checkbox"/></p> | <p>There is no valid reason why has not attended a Mediation Information and Assessment Meeting. He / She must attend a Mediation Information and Assessment Meeting and produce evidence at the next hearing that he / she has done so</p> |
| <p>B28 <i>Family Assistance Order</i> <input type="checkbox"/></p> | <p>There shall be a Family Assistance Order. An officer of CAF/CASS / the Local Authority at shall advise assist and befriend until</p> |
| <p>B29 <i>CAF/CASS Safe-guarding checks</i> <input type="checkbox"/></p> | <ul style="list-style-type: none"> <input type="checkbox"/> CAF/CASS do send their completed safeguarding checks to the court by the next hearing <input type="checkbox"/> CAF/CASS do undertake enhanced Police checks of |
| <p>B30 <i>Orders 'Living with'</i> <input type="checkbox"/></p> | <p>The child(ren) shall live with</p> <ul style="list-style-type: none"> <input type="checkbox"/> as a final order; <input type="checkbox"/> until further order; <input type="checkbox"/> as set out on the schedule to this order |

**B31 Orders
'Contact
with'**

The must
make sure that the child(ren) spend
time or otherwise have contact with

as may be agreed between them as set out in the schedule to this order...

which is to be supervised by

**B32 Contact
Centre**

Such contact is to be supervised / supported at a contact centre, namely:

.....
.....
.....

and the following conditions shall apply:

- (a) the must
inform the centre manager of the contents of this order as soon as possible;
- (b) the must:
 - (i) complete a referral form for the centre manager, and
 - (ii) provide to the centre manager as soon as possible, and in any event within
two days of today, a copy of this order and of any injunction order involving
the parties
- (c) any rules of the contact centre must be complied with;
- (d) the following arrangements for the contact session shall apply:
 - (i) the child(ren) shall be taken to the centre promptly for the start of each
contact session by
 - (ii) the child(ren) shall be collected at the end of contact by
 - (iii) the may not
remain in the same room as the child(ren) during the contact session;
- (e) any costs charged by the contact centre shall be paid by
- (f) the parties shall both be responsible for telling the centre manager when the place
is no longer required;
- (g) the court office shall send a copy of this order to the contact centre.

B33 *Contact directions*
(if required)

- The following conditions shall apply:
- Handovers at the start of contact will be at
with to collect / deliver the child(ren);
 - Handovers at the end of contact will be at
with to collect / deliver the child(ren);
 - Handover to be as agreed provided it is a public place covered by CCTV cameras;
 - Neither party may be accompanied by another adult approaching within 20 metres;
 - Any party delayed for a handover must let the other know immediately;
 - The handover will be facilitated by
 - Communication between the parties must be confined to issues concerning the children;
 - Communication between the parties about contact and the presence of the parties at handovers will not, or themselves amount to a breach of the injunction order dated/...../..... made in case numbered
 - A 'Contact Book' shall be used to note any matters of concern or importance which one party needs to tell the other. The book will be passed from one party to the other with the children and must be brought to court on each occasion the parties attend;
 - The shall not drink alcohol or use non prescribed drugs for a period of 24 hours before or at any time while seeing the child(ren);
 - The contact shall only take place if
provides a negative breathalyser sample at the start of any contact session when requested to do so. The testing kit is to be provided by

B34 *Indirect contact*

- The must make sure that the child(ren)
has / have indirect contact with
-
to take the form of letters cards and gifts to be sent:
- no more frequently than;
 - as set in the schedule to this order
 - must encourage the child(ren) to respond;
 - must send school reports and photographs and updated medical information when received

B35 *Specific Issue Order* The Respondent must:

- return the child(ren) to the care of the Applicant forthwith upon service of this order;
- make sure that the child(ren) shall attend school at
- make sure that the child(ren) is known by the last name
- make sure that

.....

.....

.....

.....

B36 *Prohibited Steps Order* The Respondent must not:

- remove the child(ren) from the care of the Applicant or from any person or institution (including any nursery or school) to whom that party has entrusted his / her / their care other than for the purpose of contact agreed in writing between the parties or ordered by the court, in which event the child(ren) must be returned promptly at the end of each such contact period
- allow the child(ren) to live at an different address than
- remove the child(ren) from their current school;
- remove child(ren) from the United Kingdom;
- allow the children to be known by a different surname
-

.....

.....

.....

.....

B37 *Penal Notice* **If you do not comply with paragraphs of this order you may be sent to prison and/or fined**

B38 *Right to Apply* **If you were not told about the hearing you may ask the court to reconsider this order. You must do that within seven days of receiving this order by writing to the court and asking the court to reconsider. You must tell the person who applied for the order that you are asking the court to reconsider the order**

| | |
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| <p>B39 Activity Directions <input type="checkbox"/></p> | <p>You must attend the following activity programme(s) on dates and times to be confirmed by the activity provider, and in any event by the/...../.....:</p> <ul style="list-style-type: none"> <input type="checkbox"/> a Mediation Information and Assessment Meeting (a MIAM); <input type="checkbox"/> a Separated Parenting Information Programme (a SPIP); <input type="checkbox"/> a Domestic Violence Perpetrator’s Programme (a DVPP); <p>(a) the court shall send this order to the activity provider with all contact details;</p> <p>(b) the activity provider must notify the court whether the parties attended at the conclusion of the activity directed</p> <p>(c) CAFCASS must monitor compliance with the activity direction given above and report to the court in the event of non-compliance;</p> |
| <p>B40 Testing Directions in respect of alcohol or drugs <input type="checkbox"/></p> | <p>The court needs a report to find out whether and use(s) drugs and/or alcohol.</p> <p>The court requires and to provide samples so that tests can be undertaken and a report prepared</p> <p>To that end:</p> <ul style="list-style-type: none"> <input type="checkbox"/> must make arrangements with his / her GP so that samples can be taken by no later than/...../.....; <input type="checkbox"/> must produce photo proof of identity at the time samples are taken; <input type="checkbox"/> must provide a copy of this order to the GP before the samples are taken; <input type="checkbox"/> the GP must send the samples to for testing by no later than/...../.....; <input type="checkbox"/> the tests must cover the period of months to the date samples are taken; <input type="checkbox"/> the tests must be for the use of alcohol and the following drugs <input type="checkbox"/> the must send the report to the court and serve it on all the parties by no later than/...../.....; <input type="checkbox"/> the cost of the testing must not be more than £..... and must be paid by: <ul style="list-style-type: none"> <input type="checkbox"/> the parties in equal shares; <input type="checkbox"/> the fund administered by CAFCASS for this purpose; <input type="checkbox"/> by <input type="checkbox"/> it is certified that that the cost is a necessary and reasonable charge against the public funding certificate granted to |

B41 Paternity Testing The court needs a report to find out whether

 is the father of

 and
 A tester needs samples from
 and

 so that tests can be carried out and a report prepared

B42 Paternity Testing through CAFCASS The dispute over parentage has arisen in relation to an application for a Child Arrangements Order and the court has made the above direction for a report on parentage of its own initiative as a test is considered reasonably required to resolve the dispute:

(a) the court officer must complete Parts I and II of the standard form BD1 and send this to:

- DNA Requests, CAFCASS National Business Centre, Millburn Hill Road, University of Warwick Science Park, Coventry CV4 7JJ
DNArequests@cafcass.gsi.gov.uk (Telephone number 0300 456 4000)
- or, where the child is resident in Wales, to Central Administrative Team, Welsh Government Rhydycar Business Park, Merthyr Tydfil CF48 1UZ
CafcasscymruCAT@wales.gsi.gov.uk

(b) an officer of CAFCASS/CAFCASS Cymru must then make arrangements with for mouth swab samples to be taken by supervised by a trained officer of CAFCASS/CAFCASS Cymru.

(c) must allow the officer of CAFCASS/CAFCASS Cymru to take photographic evidence of identity at the time the sample is taken.

(d) the officer of CAFCASS/CAFCASS Cymru must send the samples to the tester to arrive no later than/...../.....;

(e) the tester must send the written report to the court by/...../.....;

(f) the costs of sampling, testing and reporting will be paid for by

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| <p>B43 <i>Paternity Testing not through CAFCASS</i> <input type="checkbox"/></p> | <p>In order to obtain a test report:</p> <p>(a) the court officer must complete Parts I and II of the standard court form BD1 and send this to</p> <p>(b) must contact an accredited tester and make arrangements for an appropriate sampler to obtain samples by/...../.....;</p> <p>(c) at the time the samples are obtained the person giving the samples must provide to the sampler:</p> <ul style="list-style-type: none"> ▪ the form BD1 ▪ a copy of this order ▪ photo identity <p>(d) the sampler must send the samples to the tester by/...../.....;</p> <p>(e) the tester must send the written report to the court by/...../.....;</p> <p>(f) the costs of sampling, testing and reporting must be paid by and shall be a necessary and reasonable charge upon the public funding certificate issued to</p> |
| <p>B44 <i>Witness Statements</i> <input type="checkbox"/></p> | <p>The parties must by 4.00pm on/...../..... send to each other, to CAFCASS and to the court written statements of the evidence they will give to the court. This includes the statements of the parties themselves and of any witnesses who are to give evidence;</p> <ul style="list-style-type: none"> <input type="checkbox"/> add standard clause restricting oral evidence if no statement prepared; <input type="checkbox"/> add standard clause re use of template; <input type="checkbox"/> add standard clause re content of statement; <input type="checkbox"/> add standard clause re form of statement; <input type="checkbox"/> add standard clause re inability to read statement/interpretation <input type="checkbox"/> Statements shall be no longer than pages of A4 paper, preferably typed in a font no smaller than 12pt and at no less than 1.5 in line spacing. |
| <p>B45 <i>Finding of Fact Hearing</i> <input type="checkbox"/></p> | <p>A hearing shall take place to decide the disputed facts as to</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>to be listed on the first available date after/...../..... with a time estimate of hours.</p> <p>The parties must attend one hour in advance.</p> |

B46 Preparation
for Finding
of Fact
Hearing

The has made allegations against the which are not agreed. So that the court can decide those allegations, the parties must do as follows:

- (a) the must send to the a list of allegations by 4.00pm on/...../.....;
 - (i) the list must be signed and dated;
 - (ii) each incident must be numbered and set out in date order, giving the date each incident happened so far as possible, and giving a brief description of what happened and where;
 - (iii) if someone else was there at the time of the incident and/or the incident was reported to the police or medical attention was sought, then details should be given;
 - (iv) if possible, the allegations should be set out in the form of a table with headings (*see the example attached to this order*);
 - (v) the list must end with a statement that it is true and be signed and dated.
- (b) by 4.00pm on/...../....., the must send to the court a response to each of the allegations, using the same table if possible) and setting out an account of what that party says happened, or stating that the allegation is denied;
- (c) the court will forward the list of allegations and the responses to the other party on receipt;
- (d) the list and responses must be sent to the parties and to the court electronically;
- (e) the parties must also make written statements of their evidence setting out what they will say to the court about the disputed allegations. If either party wants a witness to give evidence, the witness must make a written statement as well.
- (f) every statement must:
 - (i) start with the name of the case and the case number;
 - (ii) state the full name and address of the person making it;
 - (iii) set out what the person has to say clearly in numbered paragraphs on numbered pages;
 - (iv) end with this statement: “I believe that the facts stated in this witness statement are true”, and
 - (v) be signed by the person making it, and dated;
- (g) the parties must also send copies of any documents they wish to use in support of their evidence with the list and their statements

B47 *Police disclosure*

The Chief Constable ofPolice must by 4.00pm on/...../..... make disclosure in respect of incidents involving the parties between/...../..... and/...../..... and send it to

- the court
- the parties
- the
- the solicitor for

Service of this order upon the Chief Constable is to be effected by:

- the court
- the parties
- the
- the solicitor for

and must be accompanied by the parties full names, dates of birth and addresses.

Any fees charged by the Chief Constable shall be paid by

The Chief Constable may apply within seven days of service of this order for it to be varied or discharged

B48 *Medical disclosure*

The must disclose his / her GP and hospital medical records to by 4.00pm on/...../.....

A copy of this order must be sent with any request to the record holder.

Any fee charged by the record holder is to be paid by the

B49 S.7 Report

CAFCASS must by 4.00pm on/...../..... send to the court and the parties a report under Section 7 of the Children Act about the following:

- with whom the child(ren) should live;
- whether the child should see the party with whom the child is not living;
- how often and for how long the child(ren) should see the party with whom the child(ren) is /are not living;
- the wishes and feelings of the child(ren) so far as they can be ascertained;
- the home conditions and suitability of the accommodation of the mother / father;
- the concerns of the mother / father with regard to
.....
.....
- whether or not the child(ren)'s physical / emotional / educational needs are being met by the mother / father / parents;
- how the children will be affected by the proposed change of
.....
.....
- whether or not it appears that the child(ren) has/have suffered or are at risk of suffering the harm alleged by the mother / father;
- the parenting capacity of the mother / father having regard to the allegations that
.....
- whether the local authority should be requested to report under Section 37 of the Children Act 1989;
- recommendations in respect of arrangements for the child(ren) including stepped arrangements with a view to a final order if possible
- other:
.....
.....

A copy of this order must be sent by the court to CAFCASS and the Legal Adviser to the Local Authority at
.....

B50 Monitoring Section 11H

CAFCASS must monitor compliance with the child arrangements order made above until and report to the court in the event of any non-compliance

B51 S 37 Report

..... must
prepare a report pursuant to Section 37 Children Act 1989.

- the court shall send to the Legal Adviser to the local authority preparing the report, this order together with the application(s), and C1A , the CAFCASS safeguarding letter, any statements made by the parties and any Police disclosure;
- the report shall be sent to the court by/...../.....
- upon receipt of the report, the court will consider whether it should be sent to the parties. It will, in any event, be considered at the next hearing.

B52 Permission for experts

The court gives permission for the parties to rely on the following expert evidence. The parties must make sure that the expert evidence is obtained and made available to the court in accordance with the directions below, and must provide any samples that are required for the purposes of testing:

- type of expert:
- the issues upon which the expert is to report are:
.....
- the expert is to be instructed by the parties together, the lead being taken by the A draft letter of instruction is to be distributed by/...../.....;
- the expert is to be instructed by:
- a copy of this order is to be served on the expert with the instructions.
- the instructions must be delivered to the expert by:/...../.....;
- the expert may [may not] see the child(ren) for the purposes of the report;
- the expert's report must be delivered by:/...../.....;
- the expert's fees are to be paid by:;
- the court considers the cost of the expert's report to be a reasonable, proportionate and necessary charge upon the Public Funding Certificate of the publicly funded parties;
- the court being satisfied that the expert evidence is being sought on behalf of the child(ren) alone, the expert's fees shall be paid through the child(ren)'s Public Funding Certificate;
- Notwithstanding that the expert's evidence is sought by all parties, the court having assessed the parties' financial circumstances and being satisfied that:
 - the parents cannot afford a contribution,
 - can only afford a contribution of £.....,the expert's fees shall be paid through the child(ren)'s Public Funding Certificate
 - with contributions from the parties of

| | |
|---|--|
| B53 Compliance PD25 <input type="checkbox"/> | The application byfor permission to instruct an expert is adjourned until that party complies fully with Practice Direction 25C. Upon compliance, the court will consider the application further and either make an order or list a hearing. |
| B54 Interpreters <input type="checkbox"/> | The court shall arrange for interpreters in to attend the next hearing to interpret for the |
| B55 Next Hearing <input type="checkbox"/> | The next hearing will be at on and will be: <ul style="list-style-type: none"> <input type="checkbox"/> a First Hearing Dispute Resolution Appointment / an adjourned FHDRA; <input type="checkbox"/> a Dispute Resolution Appointment / an adjourned DRA; <input type="checkbox"/> a Final Hearing / an adjourned Final Hearing; <input type="checkbox"/> a hearing for directions; <input type="checkbox"/> a review hearing <input type="checkbox"/> a hearing for with a time estimate of minutes / hours <input type="checkbox"/> the author of the report from CAFCASS / the local authority shall attend the hearing |
| B56 Further hearings <input type="checkbox"/> | There will also be a further hearing at on with a time estimate of minutes / hours to deal with <p>The further hearing will be dealt with by District Judge</p> <ul style="list-style-type: none"> <input type="checkbox"/> the author of the report from CAFCASS / the local authority shall attend the hearing |
| B57 Bundles <input type="checkbox"/> | The bundle for the next hearing will be prepared by <p>The party preparing the bundle(s) must observe the standard directions concerning the preparation and presentation of bundles</p> |
| B58 Costs <input type="checkbox"/> <input type="checkbox"/> | Each party shall pay their own costs of <p>No order for costs save that there be Public Funding Assessment of the costs of</p> |

.....
Signed

.....
Dated