

To be completed by the Applicant	
The Family Court sitting at	Case No.
To be completed by the Court	
Information about Fees	Date of issue

# FORM A

## Application Notice for a Financial Remedy

Full name of Applicant

Full name of Respondent

### Please Note

- A. Save for the matters set out below, this application form should be used for all applications for financial remedies. You should complete either Section 1 or Section 2 below. In addition you should complete the relevant part of Section 3 below.
- B. This application form should not be used for applications in the following categories:-
- (i) Appeals (for which Form N161 or FP161 should be used).
  - (ii) Money-related Committal Applications (which should follow the procedures of Family Procedure Rules, Parts 33 and 37).
  - (iii) General Enforcement Applications (for which Form D50K should be used).
  - (iv) Specific Enforcement Applications (e.g. Charging Orders, Third Party Debt Orders, Attachment of Earnings Orders etc, each of which have their own procedures).
  - (v) International Enforcement Applications under Article 56 of the Maintenance Regulation or Article 10 of 2007 Hague Convention (each of which have their own procedures).
- C. In relation to most contested applications for a financial remedy the applicant must have attended a Family Mediation Information and Assessment Meeting (MIAM) prior to making the application or have a valid reason for not having done so and the Form A must be accompanied by a form containing, either:-
- (i) a confirmation from an authorised family mediator that the prospective applicant has attended a MIAM;
  - (ii) a claim by the prospective applicant that one of the MIAM exemptions applies; or
  - (iii) a confirmation from an authorised family mediator that a mediator's exemption applies.
- Full details of the MIAM requirement, and the exemptions from it, are set out in Family Procedure Rules 2010, Part 3 and PD3A. The court will not accept an application unless it contains or is accompanied by a MIAM form.
- D. For information about Court Fees and Applying for Help with Court Fees, see Forms/Booklet EX50, EX160 and EX160A, available either at a court office or online at [hmctsformfinder.justice.gov.uk](http://hmctsformfinder.justice.gov.uk)



<b>A property adjustment order</b>	
<b>A pension sharing order</b>	
<b>A pension attachment order</b>	
<b>A pension sharing order</b>	
<b>A pension attachment order</b>	
<b>The variation of an order previously made</b>	
<b>An order to prevent or set aside a transaction intended to defeat a prospective application</b>	
<b>An order to set aside an order previously made</b>	
<b>An order to freeze assets pending the hearing of a financial remedy application</b>	
<b>An order not included in the list above</b>	

**E. If your application is for a property adjustment order, please set out the address of the property(ies) involved and the details of any mortgagee or any legal or beneficial owner other than the Respondent, if known**

**F. If your application is for an order relating to a pension, please set out the details of the pension scheme(s), if known**

**G. If your application is for the variation of an order previously made, please set out the details of the order, including the date the order was made, the provision made in the order, the proceedings it was made within and the court which made the order**

**H. If your application is to prevent or set aside a transaction intended to defeat a prospective application, please set out the details of the transaction you seek to prevent or set aside, and who else apart from the Respondent is involved in this transaction, and how. It is likely that a copy of this application will need to be served on such person(s), so please set out an address for service.**

**I. If your application is to set aside an order previously made, please set out the details of the order, including the date the order was made, the provision made in the order, the proceedings it was made within and the court which made the order and please summarise why you say the order should be set aside, including the legal basis of the application**

**J. If your application is for an order to freeze assets pending the hearing of a financial remedy application, please give a concise summary of the remedy sought and the reasons for seeking it. For avoidance of doubt completing this box will not relieve the Applicant of providing proper supporting evidence and a draft order.**

K. If your application is for an order not included in the list above please set out what order you are seeking and please summarise the basis of the application, including (if applicable) the statutory basis conferring jurisdiction on the court to make the order sought

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## SECTION 2

Please complete this section if your application is for the benefit of a child or children or otherwise arises out of circumstances not covered by Section 1 above

A. If your application is for a financial remedy relating to a child please complete the boxes below in relation to each relevant child. Please add additional pages if there are more than three relevant children.

### Child 1

Full name	Date of birth	Gender
Relationship to Applicant	Relationship to Respondent	Country of residence

### Child 2

Full name	Date of birth	Gender
Relationship to Applicant	Relationship to Respondent	Country of residence

### Child 3

Full name	Date of birth	Gender
Relationship to Applicant	Relationship to Respondent	Country of residence

**B. If your application is for a financial remedy relating to a child, please set out the nature of the financial remedy you are seeking by ticking the boxes which apply to your application.**

An interim periodical payments order	
A periodical payments order	
A lump sum order	
A settlement of property for the benefit of the child(ren)	
A transfer of property for the benefit of the child(ren)	
The variation of an order previously made	
An order to prevent or set aside a transaction intended to defeat a prospective application	
An order to set aside an order previously made	
An order to freeze assets pending the hearing of a financial remedy application	
An order not included in the list above	

**C. If your application is for a periodical payments order for the benefit of the child(ren), please set out the basis of the court's jurisdiction to make such an order, in particular setting out which part (if any) of Child Support Act 1991, section 8, applies to your application**

**D. If your application is for the settlement or transfer of property for the benefit of the child(ren), please set out the address of the property involved and the details of any mortgagee or any legal or beneficial owner other than the Respondent, if known**

**E. If your application is for the variation of an order previously made for the benefit of the child(ren), please set out the details of the order, including the date the order was made, the provision made in the order, the proceedings it was made within and the court which made the order**

**F. If your application is to set aside an order previously made for the benefit of the child(ren), please set out the details of the order, including the date the order was made, the provision made in the order, the proceedings it was made within and the court which made the order and please summarise why you say the order should be set aside**

**G. If your application is for an order for the benefit of the child(ren) not included in the list above please set out what order you are seeking and please summarise the basis of the application**

**H. If your application is for a financial remedy not relating to a child and not covered by Section 1 above (for example applications under Matrimonial Causes Act 1973, sections 27, 35 or 36, Married Women's Property Act 1882, section 17, Civil Partnership Act 2004, section 66 or Family Law Act 1996, section 53 and Schedule 7) please set out the details of the order sought and the reasons for seeking the order**

### SECTION 3

Please complete the relevant parts of this section (in addition to either Section 1 or Section 2 above)

- A. If there is an agreed Consent Order for which you seek the court's approval, please confirm that the procedure for the approval of a Consent Order under Family Procedure Rules 2010, rule 9.26, has been followed by ticking the boxes below

I am attaching a written Consent Order which has been agreed and signed by or on behalf of both parties	
I am attaching signed Statement(s) of Information signed by both parties in Form D81, including confirmation that each party has read the contents of the other's Statement of Information	

- B. If there is currently no agreement between the parties as to what Order the court should make then the court will need you to provide some basic financial information about the application:-

- (i) The fast-track procedure defined in Family Procedure Rules 2010, rule 9.9B, applies to a limited number of categories of application. In order for the court to decide whether this applies in this case, please tick any of the boxes which apply to your application

The financial remedy I seek is <u>only</u> for an order for periodical payments and/or a lump sum order not exceeding £25,000	
My application is made to the Magistrates under Domestic Proceedings and Magistrates' Courts Act 1978	
My application is made to the Magistrates under Civil Partnership Act 2004, Schedule 6	
The financial remedy I seek is <u>only</u> for the variation of a previously made periodical payments order and I do <u>not</u> seek 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 or a pension sharing order	
My application falls within one of the above categories, but I do not wish the fast-track procedure to apply to it	
My application does not fall into any of the above categories	

- (ii) If you have any suggestions for what directions the court might make, please set them out here. For example:-

- (a) Do you wish for any hearing to take place without notice to the Respondent and, if so, why?
- (b) Are you content for any hearing to take place by telephone or by another electronic means? If so, why and what do you suggest?
- (c) Is there a need for an urgent hearing? If so, why?



- (iii) To allow the court to make an assessment of the size and complexity of the case for allocation and directions purposes, please provide a concise broad assessment of the nature and quantum of assets and income likely to be involved in the case, as well as any features which you think are likely to make the case more complex than the norm. If you are unaware of the full extent of or value of assets then it is acceptable for you to say so, but please give as detailed an estimate as you are able to at this stage.

**Statement of Truth: This section must be completed by the Applicant or by a solicitor acting for the Applicant. Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.**

[I believe that the facts stated in this application are true.]

[The Applicant believes that the facts stated in this application are true. I am duly authorised by the Applicant to sign this statement.]

\*Delete as appropriate

Signature of Applicant or Applicant's Legal Representative	Date of Application

<b>Applicant's Address for Service (Postal or DX Address) (which may be the offices of the Applicant's Solicitor)</b>		<b>Name of Solicitor and Firm (if instructed)</b>
<b>E-mail Address</b>	<b>Telephone Number</b>	<b>Solicitor's Reference</b>

<b>Resondent's Address for Service (Postal or DX Address) (which may be the offices of the Respondent's Solicitor)</b>		<b>Name of Solicitor and Firm (if instructed)</b>
<b>E-mail Address</b>	<b>Telephone Number</b>	<b>Solicitor's Reference</b>