

APPENDIX 1

Rule 2.1

Form M1ORIGINATING SUMMONS

In the High Court of Justice in Northern Ireland

Family Division⁽¹⁾

In the County Court for the Division of⁽¹⁾

In the Matter of a Proposed Petition by AB for the annulment of his (or her) Marriage with CB.

LET _____ of _____ in the County of _____ attend the Judge in Chambers at _____ on the _____ day of _____ 19____, at _____ o'clock in the _____ noon on the hearing of an application of _____ for an order that the said _____ may be at liberty to file a petition for the annulment of his (or her) marriage with the said _____ solemnized on the _____ day of _____ 19____, notwithstanding that 3 years have passed since the date of the said marriage.

A copy of the affidavit to be used in support of the application is delivered herewith.

If you wish to be heard on the application, you must attend at the time and place above mentioned and if you do not attend, such order will be made and proceedings taken as the Judge may think just and expedient.

Dated this _____ day of _____ 19____.

THIS SUMMONS was taken out by _____ solicitor for the above-named.

Note:

1. You must complete the accompanying acknowledgement of service and send it so as to reach the court within fourteen days after you receive this summons.
2. In default of your giving notice of intention to defend the court will proceed to hear and determine the application and make such order thereon as it may think fit, notwithstanding your absence.
3. If you intend to instruct a solicitor to act for you, you should at once give him all the documents served on you, so that he may take the necessary steps on your behalf.

(1) Delete if inapplicable

Form M2HEADING OF PETITION

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

In the High Court of Justice in Northern Ireland

Family Division⁽¹⁾

In the County Court for the Division of⁽¹⁾

The Petition of AB—

1.

2.

3.

Etc

(1) Delete if inapplicable

Form M3GENERAL HEARING OF PROCEEDINGS

In the High Court of Justice in Northern Ireland

Family Division⁽¹⁾

In the County Court for the Division of⁽¹⁾

Between

Petitioner

and

Respondent

and

Co-Respondent⁽¹⁾

(1) Delete if inapplicable

Form M4STATEMENT OF ARRANGEMENTS FOR CHILDREN

In the High Court of Justice in Northern Ireland

Family Division⁽¹⁾

In the County Court for the Division of⁽¹⁾

Between

Petitioner,

and

Respondent

and

Co-Respondent⁽¹⁾

To the Petitioner

You must complete this form

if you or the respondent have any children ● under 16
or ● over 16 but under 18 if they are
at school or college or are
training for a trade, profession
or vocation.

Please use black ink.

Please complete Parts I, II and III.

Before you issue a petition for divorce try to reach agreement with your husband/wife over the proposals for the children's future. There is space for him/her to sign at the end of this form if agreement is reached.

If your husband/wife does not agree with the proposals he/she will have the opportunity at a later stage to state why he/she does not agree and will be able to make his/her own proposals.

You should take or send the completed form, signed by you (and, if agreement is reached, by your husband/wife) together with a copy to the court when you issue your petition.

If you wish to apply for any of the orders which may be available to you under Part II or III of the Children (Northern Ireland) Order 1995 you are advised to see a solicitor.

The court will only make an order if it considers that an order will be better for the child(ren) than no order.

You should obtain legal advice from a solicitor or, alternatively, from an advice agency. Addresses of solicitors and advice agencies can be obtained from the Yellow Pages.

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To the Respondent

The petitioner has completed Part I, II and III of this form which will be sent to the court at the same time that the divorce petition is filed.

Please read all parts of the form carefully.

If you agree with the arrangements and proposals for the children you should sign Part IV of the form.

Please use black ink. You should return the form to the petitioner, or his/her solicitor.

If you do not agree with all or some of the arrangements or proposals you will be given the opportunity of saying so when the divorce petition is served on you.

Part I — Details of the children

Please read the instructions for boxes 1, 2 and 3 before you complete this section

1. Children of both parties *(Give details only of any children born to you and the Respondent or adopted by you both)*

Forenames	Surname	Date of Birth
(i)		
(ii)		
(iii)		
(iv)		
(v)		

2. Other children of the family *(Give details of any children treated by both of you as children of the family; for example your own or the Respondent's)*

Forenames	Surname	Date of Birth	Relationship to	
			Yourself	Respondent
(i)				
(ii)				
(iii)				
(iv)				
(v)				

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3. Other children who are not children of the family *(Give details of any children born to you or the Respondent that have not been treated as children of the family, or adopted by you both)*

Forenames	Surname	Date of Birth
(i)		
(ii)		
(iii)		
(iv)		
(v)		

Part II — Arrangements for the children of the family

This part of the form must be completed. Give details for each child if arrangements are different. If necessary, continue on another sheet and attach it to this form

4. Home details *(please tick the appropriate boxes)*

(a) The address at which the children now live	
(b) Give details of the number of living rooms, bedrooms, etc at the address in (a)	
(c) Is the house rented or owned and by whom? Is the rent or any mortgage being regularly paid?	<input type="checkbox"/> No <input type="checkbox"/> Yes
(d) Give the names of all other persons living with the children including your husband/wife if he/she lives there. State their relationship to the children.	
(e) Will there be any change in these arrangements?	<input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details)</i>

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5. Education and training details *(please tick the appropriate boxes)*

(a) Give the names of the school, college or place of training attended by each child.	
(b) Do the children have any special educational needs?	<input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details)</i>
(c) Is the school, college or place of training, fee-paying? Are fees being regularly paid?	<input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details of how much the fees are per term/year)</i> <input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details)</i>
(d) Will there be any change in these arrangements?	<input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details)</i>

6. Childcare details *(please tick the appropriate boxes)*

(a) Which parent looks after the children from day to day? If responsibility is shared, please give details.	
(b) Does that parent go out to work?	<input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details of his/her hours of work)</i>
(c) Does someone look after the children when the parent is not there?	<input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details)</i>
(d) Who looks after the children during school holidays?	
(e) Will there be any change in these arrangements?	<input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details)</i>

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7. Maintenance *(please tick the appropriate boxes)*

<p>(a) Does your husband/wife pay towards the upkeep of the children?</p> <p>If there is another source of maintenance please specify.</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details of how much)</i></p>
<p>(b) Is the payment made under a court order?</p> <p>(c) Is the payment made following an assessment by the Child Support Agency?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details)</i></p> <p><input type="checkbox"/> No <input type="checkbox"/> Yes</p>
<p>(d) Has maintenance for the children been agreed?</p> <p>If not, will you be applying for a maintenance order from the court?</p> <p>Child support maintenance through the Child Support Agency.</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details)</i></p> <p><input type="checkbox"/> No <input type="checkbox"/> Yes</p>

8. Details for contact with the children *(please tick the appropriate boxes)*

<p>(a) Do the children see your husband/wife?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details of how often and where)</i></p>
<p>(b) Do the children ever stay with your husband/wife?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details of how much)</i></p>
<p>(c) Will there be any change to these arrangements?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes <i>(please give details of how much)</i></p>

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9. Details of health *(please tick the appropriate boxes)*

<p>(a) Are the children generally in good health?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes</p>	<p><i>(please give details of any serious disability or chronic illness)</i></p>
<p>(b) Do the children have any special health needs?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes</p>	<p><i>(please give details of the care needed and how it is to be provided)</i></p>

10. Details of care and other court proceedings *(please tick the appropriate boxes)*

<p>(a) Are the children in the care of a local authority, or under the supervision of a social worker or probation officer?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes</p>	<p><i>(please give details including any court proceedings)</i></p>
<p>(b) Are any of the children on the Child Protection Register?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes</p>	<p><i>(please give details of the local authority and the date of registration)</i></p>
<p>(c) Are there or have there been any proceedings in any court involving the children, for example adoption, custody/ residence, access/contact, wardship, care, supervision or maintenance (you need not include any Child Support Agency proceedings)?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes</p>	<p><i>(please give details and send a copy of any order to the court)</i></p>

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Part III — To the Petitioner

Conciliation

If you and your husband/wife do not agree about the arrangements for the child(ren), would you agree to discuss the matter with a Conciliator and your husband/wife?

No Yes

Declaration

I declare that the information I have given is correct and complete to the best of my knowledge.

Signed: (Petitioner)

Date:

Part IV — To the Respondent

I agree with the arrangements and proposals contained in Part I and II of this form.

Signed: (Respondent)

Date:

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Rule 2.6(4)

TAKE NOTICE that a petition for divorce (originating summons)⁽¹⁾ has been presented to the court. A sealed copy of it [and a copy of the petitioner's statement of arrangements regarding the children] [is] [are] delivered with this notice.

1. You must complete and detach the acknowledgement of service in Form M6 and send it so as to reach the Matrimonial Office, Royal Courts of Justice, Chichester Street, Belfast, within 14 days after you receive this notice, inclusive of the day of receipt. Delay in returning the form may add to the costs.

2. If you intend to instruct a solicitor to act for you, you should at once give him all documents which have been served on you, so that he may send the acknowledgement to the Matrimonial Office on your behalf. If you do not intend to instruct a solicitor, you should nevertheless give an address for service in the acknowledgement so that any documents affecting your interests which are sent to you will in fact reach you. Any change of address should be notified to the Matrimonial Office.

NOTES ON QUESTIONS IN FORM M6

3. If you answer Yes to Question [4 or 7]⁽¹⁾ you must within 35 days after you receive this notice, inclusive of the day of receipt, file in the Matrimonial Office, Royal Courts of Justice, Chichester Street, Belfast, an answer to the petition, and deliver a copy to every other party to the proceedings. The case will then be transferred to the High Court⁽²⁾.

4.⁽¹⁾ Before you answer Yes to Question 5 you should understand that—

- (a) you are under no obligation to answer this question but you may do so if you wish;
- (b) the answer Yes will be treated by the court as an admission on which the petitioner is entitled to rely and may result in an order for costs being made against you;
- (c) if you are in any doubt about the answer to give you should consult a solicitor.

5.⁽¹⁾ Before you answer Yes to Question 6 you should understand that—

- (a) if the petitioner satisfies the court that the petitioner and you have lived apart for 2 years immediately before the presentation of the petition and that you consent to a decree, the court will grant one unless it considers that the marriage has not broken down irretrievably;
- (b) a decree absolute of divorce will end your marriage so that—
 - (i) any right you may have to a pension which depends on the marriage continuing will be affected;
 - (ii) you will not be able to claim a State widow's pension when the petitioner dies;

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- (c) once the court grants a decree absolute of divorce or a decree of judicial separation, you will lose your right to inherit from the petitioner if he or she dies without having made a will;
- (d) a decree may have other consequences in your case depending on your particular circumstances and if you are in any doubt about these you would be well advised to consult a solicitor.

6.⁽¹⁾ If after consenting you wish to withdraw your consent you must immediately inform the Matrimonial Office and give notice to the petitioner.

7.⁽¹⁾ The petitioner relies in support of the petition on the fact that the parties to the marriage have lived apart for at least 5 years. Article 12 of the Matrimonial Causes (Northern Ireland) Order 1978 provides that if in such a case the respondent applies to the court for it to consider the respondent's financial position after the divorce, a decree nisi based on 5 years' separation only cannot be made absolute unless the court is satisfied that the petitioner has made or will make proper financial provision for the respondent, or else that the petitioner should not be required to make any financial provision for the respondent. The petition will tell you whether the petitioner proposes to make any financial provision for you. It is important that you should consider this information carefully before answering Question 7 in the acknowledgement.

8.⁽¹⁾ If you answer Yes to Question 8 you must, before the decree is made absolute, make application to the court by filing and serving on the petitioner a notice in Form M14.

- 9.⁽¹⁾** (a) If you do not wish to defend the case but object to the claim for costs, you should answer Yes to Question 9 in the acknowledgement. You must state the grounds on which you object. An objection cannot be entertained unless grounds are given which, if established, would form a valid reason for not paying the costs. If such grounds are given, you will be notified of a date on which you must attend before the judge if you wish to pursue your objection.
- (b) If you do not object to the claim for costs but simply wish to be heard on the amount to be allowed, you should answer No to Question 9.
- (c) If you are ordered to pay costs, the amount will, unless agreed between the petitioner and yourself, be fixed by the court, or will be taxed by the taxing master, after lodgment of the petitioner's bill of costs. In the latter event, you will be sent a copy of the bill and will have the right to be heard about the amount before it is finally settled.

10. Please answer Question 10. If your answer to Question 10(b) is Yes make sure you sign the form at the end.

- 11.** If you wish to make an application for
- a residence order
 - a contact order
 - a specific issue order
 - a prohibited steps order

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in respect of a child you will have to make a separate application on Form C1. Before you apply for any of these orders or any other order which may be available to you under the Children (Northern Ireland) Order 1995 you are advised to see a solicitor.

12. If you wish to contest the petitioner's financial or property claim, you will have an opportunity of doing so when you receive a notice stating that the petitioner intends to proceed with the claim. You will then be required to file an affidavit giving particulars of your property and income and be notified of the date when the claim is to be heard.

13. If you wish to make some financial or property claim on your own account, you will have to make a separate application. If you are in doubt as to the consequences of divorce on your financial position, you should obtain legal advice from a solicitor.

Dated this day of 19 .

Master

To

- (1) Delete if inapplicable
- (2) Delete if petition has been presented to the High Court or if the case has already been transferred to the High Court

Form M6ACKNOWLEDGEMENT OF SERVICE

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Rule 2.10(1)

If you intend to instruct a solicitor to act for you, give him this form immediately

[Heading as in Form 3]

Read carefully the Notice of Proceedings before answering the following questions.

1. Have you received the originating summons [and copy of the supporting affidavit] [or the petition for [divorce]]¹⁽¹⁾ delivered with this form?

2. On what date and at what address did you receive it?

3. Are you the person named as Respondent?

4. Do you intend to defend the case?

*5.⁽¹⁾ [In the case of a petition alleging adultery] Do you admit the adultery alleged in the petition?

*6.⁽¹⁾ [In the case of a petition alleging 2 years' separation coupled with the respondent's consent to a decree being granted]. Do you consent to a decree being granted?

7.⁽¹⁾ [In the case of a petition asking for divorce alleging 5 years' separation]. Do you intend to oppose the grant of a decree on the ground that the divorce will result in grave financial or other hardship to you and that in all the circumstances it would be wrong to dissolve the marriage?

8.⁽¹⁾ In the event of a decree nisi being granted on the basis of 2 years' separation, coupled with the respondent's consent, or 5 years' separation, do you intend to apply to the court for it to consider your financial position as it will be after the divorce?

9.⁽¹⁾ Even if you do not intend to defend the case, do you object to paying the costs of the proceedings? If so, on what grounds?

10. (a) Have you received a copy of the Statement of Arrangements for Child[ren].

(b) Do you agree with the proposals in that Statement of Arrangements? If not you may file a written statement of your own views on the present and proposed arrangements for the children. It would help if you sent that statement to the court office with this form.

11. [In the case of proceedings relating to a polygamous marriage]. If you have any wife [or husband] in addition to the petitioner [or applicant] who is not mentioned in the petition [or originating summons], what is the name and address of each such wife [or husband] and the date and place of your marriage to her [or him]?

Dated this day of 19 .

Signed

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Address for service [unless you intend to instruct a solicitor, give your place of residence, or if you do not reside in Northern Ireland, the address of a place to which documents may be sent to you. If you subsequently wish to change your address for service, you must notify the Matrimonial Office, Royal Courts of Justice, Chichester Street, Belfast].

[I am [We are] acting for the Respondent [or the above-named in this matter].

Signed

Address for service:

Form M7 Affidavit of Service [Heading as in Form M3]

Rule 2.10(3)

I, _____ of _____ make
Oath and say:

1. That a sealed copy of the⁽¹⁾
bearing date the _____ day of _____ 19 _____ filed in this court was duly served by
me on the said _____ at _____ on the _____ day
of _____ 19 _____ by delivery to the said _____ personally a sealed copy
thereof [together with copies of the notices in Forms 5 and 6] [Means of knowledge
of identity of the person served must be inserted here].

Sworn, etc.

⁽¹⁾ Petition or notice or originating summons.

Form M8 CERTIFICATE OF READINESS [Heading as in Form M3]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 2.28(2)

To the Master

Sir,

I/We request that you enter this cause for hearing at⁽¹⁾

I/We certify on the part of the petitioner/respondent (hereinafter called "this party")—

- (1) that the requirements of rule 2.28(1) are satisfied;
- (2) that there are no pending interlocutory proceedings by or against this party;
- (3) that this party does not intend to commence any (further) interlocutory proceedings before trial;
- (4) that, so far as concerns this party, the cause is ready for trial.

(Signed)

Solicitor for petitioner/respondent

(¹) State, in the case of a petition pending in a divorce county court, the desired place of hearing.

Form M9NOTICE UNDER RULE 2.39[Heading as in Form M3]

Rule 2.39(1)

TAKE NOTICE that the application {state nature of application} which was adjourned on at on , has been restored to the list for hearing o'clock.

(Signed)

Solicitor(s) for the Petitioner/Respondent

To: the Petitioner/Respondent
the Proper Officer/Chief Clerk

Form M10NOTICE OF APPLICATION FOR DECREE NISI TO BE MADE ABSOLUTE[Heading as in Form M3]

Rule 2.52(1)

TAKE NOTICE that the petitioner [or respondent] applies for the decree nisi pronounced in his (her) favour on the day of 19 , to be made absolute.

Dated this day of 19

Signed

[Solicitor for the] Petitioner
[or Respondent]

Form M11CERTIFICATE OF MAKING DECREE NISI ABSOLUTE (DIVORCE)[Heading as in Form M3]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 2.54(2)

Referring to the decree made in this cause on the day of 19 , whereby it was decreed that the marriage solemnized on the day of 19 at between the petitioner and the respondent be dissolved unless sufficient cause be shown to the court within from the making thereof why the said decree should not be made absolute, and no such cause having been shown it is hereby certified that the said decree was on the day of 19 , made final and absolute and that the said marriage was thereby dissolved.

Dated this day of 19

Note Divorce effects inheritance under a will

Where a will has already been made by either party to the marriage then, by virtue of Article 13 of the Wills and Administration Proceedings (Northern Ireland) Order 1994, from the above date on which the decree was made absolute:--

- (a) any appointment of the former spouse as an executor or trustee or any conferment of a power of appointment on the former spouse takes effect as if the former spouse had died on the date on which the marriage is dissolved or annulled; and
- (b) any property comprising or included in a gift to the former spouse passes as if the former spouse had died on that date;

unless a contrary intention appears in the will.

Form M12CERTIFICATE OF MAKING DECREE NISI ABSOLUTE (NULLITY)[Heading as in Form M3]

Rule 2.54(2)

(Scal)

Referring to the decree made in this cause on the day of 19 , whereby it was ordered that the marriage in fact solemnized on the day of 19 at between the petitioner and the respondent [in the case of a void marriage be pronounced and declared to have been by law void and the said petitioner be pronounced to have been and to be free of all bond of marriage with the said respondent], [in the case of a voidable marriage be annulled] unless sufficient cause be shown to the court within from the making thereof why the said decree should not be made absolute, and no such cause having been shown, it is hereby certified that the said decree was on the day of 19 , made final and absolute [in the case of a void marriage and that the said marriage was by law void and that the said petitioner was and is free from all bond of marriage with the said respondent] [in the case of a voidable marriage and that the said petitioner was from that date and is free from all bond of marriage with the said respondent].

Dated this day of 19

Form M13NOTICE OF APPLICATION FOR ANCILLARY RELIEF[Heading as in Form M3]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 2.55(2) and (3)

TAKE NOTICE that the petitioner [or respondent] intends to apply to the court for [here set out the ancillary relief claimed, stating the terms of any agreements as to the order which the court is to be asked to make and, in the case of an application for a property adjustment order or an avoidance of disposition order, stating briefly the nature of the adjustment proposed or the disposition to be set aside. If the application is to vary periodical payments or secured periodical payments for a child state whether there are or have been any proceedings in the Child Support Agency relating to their maintenance].

[If you are applying for any periodical payments or secured periodical payments for a child please state—

whether you are applying for payment—

- for a step-child;
- in addition to child support maintenance already payable under a Child Support Agency assessment;
- to meet expenses arising from a child's disability;
- to meet expenses incurred by a child being educated or training for work; or
- on some other ground (please specify)

or that

the child or the person with care of the child or the absent parent of the child is not habitually resident in the United Kingdom].

Notice will be given to you of the place and time fixed for the hearing of the application [or the application will be heard by the Master or district judge in chambers at on day, the day of 19 , at o'clock].

[Unless the parties are agreed upon the terms of the proposed order, and in the case of an application for an order for maintenance pending suit or a financial provision order or variation order:

TAKE NOTICE ALSO that you must file in the [Matrimonial Office, Royal Courts of Justice, Chichester Street, Belfast], [or county court office at] within 14 days after you receive this notice, an affidavit giving full particulars of your property and income. You must at the same time send a copy of your affidavit to the [solicitor for] the applicant.

[If you wish to allege that the petitioner [or respondent] has property or income, you should say so in your affidavit].

Dated this day of 19

(Signed)

[Solicitor for the] Respondent
[or Petitioner]

Form M14NOTICE OF APPLICATION UNDER RULE 2.48[Heading as in Form M3]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 2.48

TAKE NOTICE that the respondent applies to the court under Article 12(2) of the Matrimonial Causes (Northern Ireland) Order 1978 for the court to consider the financial position of the respondent after the divorce.

The application will be heard on a date to be fixed [or if, in the case of an application made after a decree nisi], a date has been fixed by the Master in chambers at _____ on _____ day, the _____ day of _____ 19____, at _____ o'clock].

[Unless the petitioner has already filed an affidavit in connection with an application for ancillary relief under rule 2.63(2)].

TAKE NOTICE ALSO that you must within 14 days after you receive this notice, file in the [Matrimonial Office, Royal Courts of Justice, Chichester Street, Belfast], [or county court office at _____] an affidavit giving full particulars of your property and income. You must at the same time send a copy of your affidavit to the [solicitor for the] respondent.

[If you wish to allege that the respondent has property or income, you should say so in your affidavit].

Dated this _____ day of _____ 19____

(Signed)

[Solicitor for the] Respondent

Form M15NOTICE OF INTENTION TO PROCEED WITH APPLICATION FOR ANCILLARY RELIEF MADE IN PETITION OR ANSWER[Heading as in Form M3]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 2.60(1)

The petitioner [or respondent] having applied in his [or her] petition [or answer] for [here set out the ancillary relief claimed and intended to be proceeded with, stating the terms of any agreement as to the order which the court is to be asked to make].

[If you are applying for any periodical payments or secured periodical payments for a child please state—

whether you are applying for payment

— for a step-child;

— in addition to child support maintenance already payable under a Child Support Agency assessment;

— to meet expenses arising from a child's disability;

— to meet expenses incurred by a child being educated or training for work; or

— on some other ground (please specify)

or that the child or the person with care of the child or the absent parent of the child is not habitually resident in the United Kingdom].

[Add where applicable] TAKE NOTICE that the application will be heard by the Master or district judge in chambers at _____ on _____ day, the _____ day of _____ 19____, at _____ o'clock.

TAKE NOTICE [ALSO] that [continue as in fourth paragraph of Form M13].

Dated this _____ day of _____ 19____

(Signed)

[Solicitor for the] Petitioner

[or Respondent]

Form M16 NOTICE OF ALLEGATION IN PROCEEDINGS FOR ANCILLARY RELIEF [Heading as in Form M3]

Rule 2.63

TAKE NOTICE that this affidavit has been filed in proceedings for [state nature of application] and that if you wish to be heard on any matter affecting you in the proceedings you may intervene by applying to the court, within 7 days after you receive this notice, inclusive of the day of receipt, for directions as to the filing and service of pleadings and as to the further conduct of the proceedings.

Dated this _____ day of _____ 19____

Issued by

[Solicitor for the] Petitioner

[or Respondent]

Form M17 NOTICE OF REQUEST FOR PERIODICAL PAYMENTS ORDER AT SAME RATE AS ORDER FOR MAINTENANCE PENDING SUIT [Heading as in Form M3]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 2.70(2)

To . of . The petitioner [or respondent] having on the day of 19 , obtained an order for payment by you of maintenance pending suit at the rate of

AND the petitioner [or respondent] having applied to his [her] petition [or answer] for a periodical payments order for himself [or herself].

TAKE NOTICE that the petitioner [or respondent] has requested the court to make a periodical payments order for himself [or herself] providing for payments by you at the same rate as those mentioned above.

AND TAKE NOTICE that if you object to the making of such a periodical payments order, you must give notice to that effect to the [proper officer] [or chief clerk] and the petitioner [or respondent] within 14 days after service of this notice on you, and if you do not do so, the Master may make such a periodical payments order without further notice to you.

Dated this day of 19

[Proper Officer]
[Chief Clerk]

Form M18ORIGINATING SUMMONS FOR MAINTENANCE *In the High Court of Justice in Northern Ireland*

In the High Court of Justice in Northern Ireland

Family Division⁽¹⁾

In the County Court for the Division of⁽¹⁾

In the Matter of an Application by AB under Article 29 of the Matrimonial Causes (Northern Ireland) Order 1978.

AB	Applicant
CB	Respondent

LET the respondent CB⁽²⁾ attend before the Judge in Chambers at the Royal Courts of Justice, Chichester Street, Belfast, [or as the case may be] on day, the day of 19 , at o'clock, on the hearing of an application of AB⁽³⁾ who claims that the said CB, being the lawful husband of the applicant.

- (a) has failed to provide reasonable maintenance for the applicant, or
- (b) has failed to provide, or to make proper contribution towards, reasonable maintenance for any child of the family,

and applies that the said CB be ordered [here set out the relief claimed].

The applicant further applies that the costs of this application be provided for.

Dated the day of 19

This summons was taken out by

Solicitors for the Applicant

To CB⁽⁴⁾

TAKE NOTICE that—

1. A copy of the affidavit to be used in support of the application is delivered herewith.
2. You must complete the accompanying acknowledgement of service and send it so as to reach the court within 14 days after you receive this summons.
3. In default of your giving notice of intention to defend the court will proceed to hear and determine the application and make such order thereon as it may think fit, notwithstanding your absence.
4. In the event of your giving notice of intention to defend you are required within 21 days after the time limited for giving such notice to file in the Matrimonial Office [or county court office] at the address above-mentioned an affidavit in answer to the application setting out the grounds on which you intend to contest the application and setting forth in a schedule to the affidavit full particulars of your property and income. You must at the same time send a copy of your affidavit (with the schedule) to the Solicitor for the Applicant.
5. If you intend to instruct a solicitor to act for you, you should at once give him all the documents served on you, so that he may take the necessary steps on your behalf.

(1) Delete if inapplicable

(2) Name, address and description of respondent

(3) Name and address of applicant

(4) Name, address and description of respondent

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form M19NOTICE UNDER RULE 3.1(5)[Heading as in Form M18]

Rule 3.1(5)

To

TAKE NOTICE that in proceedings by AB⁽¹⁾ in the High Court of Justice in Northern Ireland [or in the County Court for the Division of] under Article 29 of the Matrimonial Causes (Northern Ireland) Order 1978 it has been alleged by CB⁽²⁾ husband of the said AB, that you have committed adultery with the said AB AND FURTHER TAKE NOTICE that you are at liberty within 14⁽³⁾ days after service of this notice on you to give notice of intention to defend in the proceedings either in person or by your Solicitor at the Matrimonial Office, Royal Courts of Justice, Chichester Street, Belfast, [or county court office at], and to intervene in the proceedings and defend all or any of the charges set forth in the copy affidavit served on you with this notice.

This notice is issued by⁽⁴⁾

Dated the day of 19

[Proper Officer]
[Chief Clerk]

1. You must complete the accompanying acknowledgement of service and send it so as to reach the Matrimonial Office [or county court office] within 14 days after you receive this summons.

2. In default of your giving notice of intention to defend the court will proceed to hear and determine the application and make such order thereon as it may think fit, notwithstanding your absence.

3. If you intend to instruct a solicitor to act for you, you should at once give him all the documents served on you, so that he may take the necessary steps on your behalf.

- (¹) State name and address of wife
- (²) State name, address and description of husband
- (³) Or as the case may be
- (⁴) State name and address of petitioner or solicitor

Form M20ORIGINATING SUMMONS FOR ALTERATION OF MAINTENANCE AGREEMENT DURING THE LIFETIME OF THE PARTIES

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 3.4(1)

In the High Court of Justice in Northern Ireland

Family Division⁽¹⁾

In the County Court for the Division of

IN THE MATTER of an Application under Article 37 of the Matrimonial Causes (Northern Ireland) Order 1978

Between Applicant
and Respondent

LET of attend before the Judge in Chambers at the Royal Courts of Justice, Chichester Street, Belfast, [or as the case may be] on day, the day of 19 , at o'clock, on the hearing of an application of AB who claims that the agreement made between the said AB and the said on the day of 19 , should be altered as shown in the affidavit accompanying this summons so as to [make different] [contain] financial arrangements.

Dated the day of 19

This summons was taken out by solicitor for the above-named AB

To

TAKE NOTICE:

The Notice appended to the Summons should follow the Notice in Form M18 but the words "in a schedule to the affidavit" in paragraph 4 should be deleted.

⁽¹⁾ Delete if inapplicable

Form M21 ORIGINATING SUMMONS FOR ALTERATION OF MAINTENANCE AGREEMENT AFTER THE DEATH OF ONE OF THE PARTIES

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 3.5(1)

In the High Court of Justice in Northern Ireland

Family Division⁽¹⁾

In the County Court for the Division of⁽¹⁾

IN THE MATTER of an Application under Article 38 of the Matrimonial Causes (Northern Ireland) Order 1978

Between Applicant
and Respondent

I, ET of attend before the Judge in Chambers at the Royal Courts of Justice, Chichester Street, Belfast, (or as the case may be) on day, the day of 19, at o'clock, on the hearing of an application that the agreement made on the day of between [] and who died on on the day of 19, should be altered as shown in the affidavit accompanying this summons so as to [make different] [contain] financial arrangements.

Dated the day of 19

This summons was taken out by solicitor for the above named

To

TAKE NOTICE:—

The Notice appended to the Summons should follow the Notice in Form M18 but the words "in a schedule to the affidavit" in paragraph 4 should be deleted.

(¹) Delete if inapplicable

Form M22NOTICE TO BE INDORSED ON DOCUMENT SERVED IN ACCORDANCE WITH RULE 6.4

Rule 6.4(2)

To of

TAKE NOTICE that the contents or purport of this document are to be communicated to the respondent [or as the case may be], the said if he is over 16 [add, if the person to be served is by reason of mental disorder within the meaning of the Mental Health (Northern Ireland) Order 1986 incapable of managing and administering his property and affairs; unless you are satisfied [after consultation with the responsible medical officer within the meaning of the Mental Health Act (Northern Ireland) Order 1986, or if the said is not liable to be detained or subject to guardianship under that Order, his medical attendant]* that communication will be detrimental to his mental condition].

* Delete these words if the document is served on the responsible medical officer or medical attendant.

Form M23AFFIDAVIT AND NOTICE UNDER RULE 8.20[Heading as in Form M3]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 8.20(2)

I, A.B. [or C.D. the solicitor for A.B.] of _____ make oath and say that according to the best of my knowledge, information and belief I am [or the said A.B. is] beneficially entitled under the above-mentioned settlement [or as may be] to an interest in the securities specified in the notice hereto annexed.

Sworn, etc.

This affidavit is filed on behalf of A.B. whose address is

Notice to be annexed to the affidavit.

To the Governor and Company
of the Bank of Ireland
{or as may be}

TAKE NOTICE that the securities comprised in and subject to the trusts of the settlement [or as may be] referred to in the affidavit to which this notice is annexed consist of the following, namely [specify the stock, shares, etc, stating the names in which it stands].

This notice is intended to stop the transfer of the said securities and not the payment of any dividend thereof or interest thereon {or and also the payment of any dividend thereof or interest thereon}.

(Signed) A.B. [or C.D. if affidavit sworn by him]

Form M24SUMMONS UNDER RULE 8.28[Heading as in Form M3]

Rule 8.28(2)

WHEREAS the petitioner obtained an order against the above-named respondent on the _____ day of _____ 19____, for the sum of £ _____ and there is now due and payable under the said order the sum of £ _____.

You are therefore hereby SUMMONED to appear personally before the Master in Room _____ at the Royal Courts of Justice, Chichester Street, Belfast, [or at _____] on _____ day, the _____ day of _____ 19____, at _____ o'clock in the _____ noon to be examined as to whether any and what debts are owing to you, and whether you have any and what other property or means of satisfying the above-mentioned order.

Dated this _____ day of _____ 19____

To:

{Proper Officer}
{Chief Clerk}

Form M25JUDGMENT SUMMONS (SEAL)[Heading as in Form M3]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 8.29

WHEREAS the above-named (hereinafter called "the judgment creditor") obtained an order in this court on the day of 19 , against (hereinafter called "the debtor") for [state nature of order].

AND WHEREAS default has been made in payment of the sum of £ payable under the said order and the judgment creditor has required this judgment summons to be issued against you, the said debtor.

YOU ARE HEREBY SUMMONED to appear personally before one of the Judges sitting in this Division at on the day of 19 , at o'clock, to be examined on oath of which you have made default and also to show cause why you should not be committed to prison for such default.

[AND TAKE NOTICE THAT the judgment creditor intends to apply to the court at the hearing of this judgment summons for leave to enforce arrears which became due more than 12 months before the date of this summons].

Dated this day of 19 £

Amount due and unpaid in respect of order and costs
Costs of this summons
Travelling expenses to be paid to the debtor
Sum on payment of which this summons will be discharged

Note: If payment is made too late to prevent the judgment creditor's attendance on the day of the hearing, you may be liable for further costs.

[The judgment creditor's solicitor is]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 3.11(11)

In the High Court of Justice in Northern Ireland

Family Division⁽¹⁾

In the County Court for the Division of⁽¹⁾

Upon the petition of AB (the petitioner) and upon hearing the petitioner and upon hearing CD (the respondent)

It is declared* that the marriage between and was a valid marriage at its inception, namely the day of 19 .

Dated

* or, where a declaration is made under Article 31(1)(b) of the 1989 Order, the following form shall be followed:—

... that the marriage between

and subsisted on the day of 19 .

⊗ or, where a declaration is made under Article 31(1)(c) of the 1989 Order, the following form shall be followed:—

... that the marriage between

and did not subsist on the day of 19 .

* or, where a declaration is made under Article 31(1)(d) of the 1989 Order, the following form shall be used:—

... that the divorce [or annulment or legal separation] in respect of and (parties to the marriage) obtained on the day of 19 , in (the country where the divorce, annulment or legal separation was obtained) is entitled to recognition in Northern Ireland.

* or, where a declaration is made under Article 31(1)(e) of the 1989 Order, the following form shall be used:

... that the divorce [or annulment or legal separation] in respect of and (parties to the marriage) obtained on the day of 19 , in (the country where the divorce, annulment or legal separation was obtained) is not entitled to recognition in Northern Ireland.

(¹) Delete if inapplicable.

Form M27EX PARTE ORIGINATING SUMMONS UNDER ARTICLE 17 OF THE MATRIMONIAL AND FAMILY PROCEEDINGS (NORTHERN IRELAND) ORDER 1989

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 3.12(1)

In the High Court of Justice in Northern Ireland

Family Division

In the matter of an application under Article 17 of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989.

LET all parties concerning attend before the Judge in Chambers at the Royal Courts of Justice, Chichester Street, Belfast, on the day of 19 , at am/pm on the hearing of an application by AB that leave be granted to the said AB to make an application for an order for financial relief under Part IV of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989.

Dated this day of 19

This summons was taken out by

of solicitor for the above-named applicant whose address is

Form M28ORIGINATING SUMMONS UNDER ARTICLE 16 OF THE MATRIMONIAL AND FAMILY PROCEEDINGS (NORTHERN IRELAND) ORDER 1989

Rule 3.13(1)

In the High Court of Justice in Northern Ireland

Family Division

In the matter of an application under Article 16 of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989.

Between AB Applicant
and CD Respondent

LET CD of attend before the Judge in Chambers at the Royal Courts of Justice, Chichester Street, Belfast, BT1 3JF, on the day of 19 , at am/pm, on the hearing of an application by AB for the following relief, namely:

Dated this day of 19

This summons was taken out by

of solicitor for the above-named applicant whose address is

Form M29ORIGINATING SUMMONS UNDER ARTICLE 28 OF THE MATRIMONIAL AND FAMILY PROCEEDINGS (NORTHERN IRELAND) ORDER 1989

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 3.14(1)

In the High Court of Justice in Northern Ireland

Family Division

In the matter of an application under Article 28 of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989.

Between AB Applicant
and CD Respondent

LET CD of
attend before the Judge in Chambers at the Royal Courts of Justice, Chichester Street,
Belfast, BT1 3JF, on the day of 19 , at am/pm, on
the hearing of an application by AB that the court shall
make an order restraining CD from making any
disposition or transferring out of the jurisdiction or otherwise dealing with any
property with intent to defeat a claim for financial relief by the applicant under Part
IV of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989.

Dated this day of 19

This summons was taken out by
of solicitor for the above-named applicant whose address is

Form M30NOTICE OF PROCEEDINGS AND ACKNOWLEDGEMENT OF SERVICE

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 3.13(2) 3.14(2)

In the High Court of Justice in Northern Ireland

Between	AB	Applicant
and	CD	Respondent

Read carefully this Notice of Proceedings before answering the questions which follow.

NOTICE OF PROCEEDINGS

TAKE NOTICE THAT an application [for financial relief] [to prevent a transaction⁽¹⁾] has been presented to this court. A sealed copy of it and a copy of the applicant's affidavit in support are delivered with this notice.

1. You must complete and detach the acknowledgement of service and send it so as to reach the court within 31 days after you receive this notice, inclusive of the day of receipt. Delay in returning the form may add to the costs.

2. If you wish to dispute the claim made by the applicant you must file in the court an affidavit in answer within 28 days after the time allowed for sending the acknowledgement of service.

3. If you intend to instruct a solicitor to act for you, you should at once give him all the documents which have been served on you, so that he may send the acknowledgement to the court on your behalf. If you do not intend to instruct a solicitor, you should nevertheless give an address for service in the acknowledgement so that any documents affecting your interests which are sent to you will in fact reach you. This should be your place of residence or, if you do not reside in Northern Ireland, the address of a place in Northern Ireland to which documents may be sent to you. Change of address should be notified to the court.

ACKNOWLEDGEMENT OF SERVICE

In the High Court of Justice in Northern Ireland

Family Division

Between	Applicant
and	Respondent

1. Have you received an originating summons and a copy of the supporting affidavit in respect of the proceedings mentioned above?

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

2. On what date at what address did you receive them? Date
Address.....
.....
.....
.....

3. Are you the person named as the respondent in the originating summons?

4. Do you intend to defend the case? If your answer to this question is yes you must follow the instructions in paragraph 2 of the Notice of Proceedings.

5. Even if you do not intend to defend the case do you object to paying the costs of the proceedings and, if so, on what grounds?

Dated this day of 19

Signed.....
Respondent

I am [we are] acting for the Respondent in this matter.

Signed.....
Address for service of documents:

Dated this day of 19

(1) Or as the case may be

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 7.14(1)

To

of

These proceedings [include/consist of] an application under the _____ for an order that

TAKE NOTICE that it appears that the court would be prevented from making such an order [in respect of the following children

] because

If you wish to dispute this and to claim that the court should continue to deal with your application you must say so in writing and send it to the court office within 14 days of having received this notice.

If you do this a date for a hearing will be fixed at which you will be able to say why you think the court would be able to make the order sought.

The address of the court office is

Dated this _____ day of _____ 19

[Proper Officer]

[Chief Clerk]

FORM C1 APPLICATION FOR AN ORDER *Children (Northern Ireland) Order 1995*

Family Proceedings Rules (Northern Ireland) 1996: Rule 4.5

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the

Division of]

[In the Family Care Centre at]

1 About you (the applicant)

- State
- your title, full name, address, telephone number, date of birth and relationship to each child above
 - your solicitor's name, address, reference, telephone, FAX and DX numbers.

2 The child(ren) and the order(s) you are applying for

- For each child state
- the full name, date of birth and sex
 - the type of order(s) you are applying for (for example, residence order, contact order, supervision order, appointment of a guardian).

3 Other cases which concern the child(ren)

If there have ever been, or there are pending, any court cases which concern

- a child whose name you have put in paragraph 2
- a full, half or step brother or sister of a child whose name you have put in paragraph 2
- a person in this case who is or has been, involved in caring for a child whose name you have put in paragraph 2

attach a copy of the relevant order and give

- the name of the court
- the name and panel address (if known) of the guardian ad litem, if appointed
- the name and contact address (if known) of the solicitor appointed for the child(ren).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

4 The respondent(s)

Appendix 3

- For each respondent state*
- *the title, full name and address*
 - *the date of birth (if known) or the age*
 - *the relationship to each child.*

5 Others to whom notice is to be given

Appendix 3

- For each person state*
- *the title, full name and address*
 - *the date of birth (if known) or age*
 - *the relationship to each child.*

6 The care of the child(ren)

For each child in paragraph 2 state

- *the child's current address and how long the child has lived there*
- *whether it is the child's usual address and who cares for the child there*
- *the child's relationship to the other children (if any).*

7 Social Services

For each child in paragraph 2 state

- *whether the child is known to the Social Services.*
If so, give the name of the social worker and the address of the relevant Board or Trust.
- *whether the child is, or has been, on the Child Protection Register. If so, give the date of registration.*

8 The education and health of the child(ren)

- For each child state*
- *the name of the school, college or place of training which the child attends*
 - *whether the child is in good health. Give details of any serious disabilities or ill-health*
 - *whether the child has any special needs.*

9 The parents of the child(ren)

- For each child state*
- *the full name of the child's mother and father*
 - *whether the parents are, or have been, married to each other*
 - *whether the parents live together. If so, where*
 - *whether, to your knowledge, either of the parents have been involved in a court case concerning a child. If so, give the date and the name of the court.*

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

10 The family of the child(ren) (other children)

For any other child not already mentioned in the family (for example, a brother or a half sister) state

- *the full name and address*
- *the date of birth (if known) or age*
- *the relationship of the child to you.*

11 Other adults

State ● *the full name of any other adults (for example, lodgers) who live at the same address as any child named in paragraph 2*

- *whether they live there all the time*
- *whether, to your knowledge the adult has been involved in a court case concerning a child. If so, give the date and the name of the court.*

12 Your reason(s) for applying and any plans for the child(ren)

State briefly your reasons for applying and what you want the court to order

- *Do not give a full statement if you are applying for an order under Article 8 of Children (Northern Ireland) Order 1995. You may be asked to provide a full statement later.*
- *Do not complete this section if this form is accompanied by a prescribed supplement.*

13 At the court

State ● *whether you will need an interpreter at court (parties are responsible for providing their own). If so, specify the language.*

- *whether disabled facilities will be needed at court.*

Signed
(Applicant)

Date

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- for leave to commence proceedings
Family Proceedings Rules (Northern Ireland) 1996: Rule 4.4
- for an order or directions in existing family proceedings
Children (Northern Ireland) Order 1995
- to be joined as, or cease to be, a party in existing family proceedings
Family Proceedings Rules (Northern Ireland) 1996: Rule 4.8(2)

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the

Division of _____]

[In the Family Care Centre at _____]

The full name(s) of the child(ren)

1 About you (the person making this application)

- State ● your title, full name, address, telephone number, date of birth and relationship to each child above
- your solicitor's name, address, reference, telephone, FAX and DX numbers
 - if you are already a party to the case, give your description (for example, applicant, respondent or other).

2 The order(s) or direction(s) you are applying for

- State for each child ● the full name, date of birth and sex
- the type of order(s) you are applying for (for example, residence order, contact order, supervision order).

3 Persons to be served with this application

For each respondent to this application state the title, full name and address.

4 Your reason(s) for applying and any plans for the child(ren)

State briefly your reasons for applying.
 Do not give a full statement if you are applying for an order under Article 8 Children (Northern Ireland) Order 1995.
 You may be asked to provide a full statement later.

Signed
(Applicant)

Date

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

NOTICE TO PARTIES OF PROCEEDINGS

[HEARING] [DIRECTIONS APPOINTMENT]

has applied to the court for an order.

The application concerns the following child(ren)

About the [Hearing] [Directions Appointment]

You should attend when the court hears the application at

on

at

[am]

[pm]

The hearing is estimated to last

What to do next

There is a copy of the application with this Notice. You have been named as a party in the application.

Read the application now, and the notes overleaf.

When you go to court please take this Notice with you and show it to a court official.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

About this Notice

- Note 1 At the hearing or directions appointment** you will be able to tell the court about any special needs or circumstances of the child(ren).
- Note 2 If Form C4 (Acknowledgement) is enclosed** you must fill it in and return it to the court as soon as possible, and serve a copy on the other parties.
- Note 3 For legal advice** go to a solicitor or an advice agency.
Some solicitors specialise in court proceedings which involve children. You can obtain the address of a solicitor or an advice agency from the Yellow Pages or the Law Society.
A solicitor or an advice agency will be able to tell you whether you may be eligible for legal aid.
- Note 4 If you want to apply for an order** in respect of any of the children named on the Notice, fill in Form C1.
You can obtain the form from a court office. The application must be made to the court sending you this notice.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the

Division of]

[In the Family Care Centre at]

NOTICE TO NON-PARTIES OF PROCEEDINGS

[HEARING] [DIRECTIONS APPOINTMENT]

has applied to the court
for an order.

The application concerns the following child(ren)

About the [Hearing] [Directions Appointment]

The court will hear the application at

on

at [am] [pm]

The hearing is estimated to last

What to do next

You have been named in the application. Please read the notes overleaf.

If you go to court please take this Notice with you and show it to a court official.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

About this Notice

Note 1 You do not have the right to take part in the proceedings, at present.

If you want to take part (become a party to the proceedings) you must apply to the court on Form C2. In all correspondence quote the case number and the child(ren)'s number(s).

You can obtain Form C2 from a court office. The application must be made to the court sending you this notice.

Note 2 For legal advice go to a solicitor or an advice agency.

Some solicitors specialise in court proceedings which involve children. You can obtain the address of a solicitor or an advice agency from the Yellow Pages or the Law Society.

A solicitor or an advice agency will be able to tell you whether you may be eligible for legal aid.

FORM C4ACKNOWLEDGEMENT

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Date of [Hearing] [Directions Appointment]

What you (the person receiving this form) should do

- Answer the questions overleaf.
- If you need more space for an answer use a separate sheet of paper. Please put your full name, case number and the child(ren)'s number(s) at the top.
- If the applicant has asked the court to order you to make a payment for a child you must also fill in a Statement of Means (Form C7A). You can obtain this form from a court office if one has not been enclosed with the papers served on you.
- When you have answered the questions make copies of both sides of this form. You will need a copy for the applicant, and each party named in Part 4 of Form C1.
- Post, or hand, a copy to the applicant and to each party. Then post, or take, this form, and the Statement of Means if you filled one in, to the court at the address below.

You must do this within 14 days of the date when you were given the Notice of Proceedings, or of the postmark on the envelope if the Notice of Proceedings was posted to you.

To be completed by the court

The court office is open

from am to pm

on Mondays to Fridays

I About you

Full name

Date of birth

Address

Please give a daytime telephone number if you can.

Telephone Number

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<p>2 About your solicitor</p> <p><i>If you do not have a solicitor put None. (But see note 3 on the Notice of Proceedings which was served on you).</i></p>	<p>Name</p> <p>Address</p> <p>Telephone Number</p> <p>FAX Number</p> <p>DX Number</p>
<p>3 Address to which letters and other papers should be sent.</p>	
<p>4 The application was received on:</p>	
<p>5 Do you oppose the application?</p>	
<p>6 Do you intend to apply to the court for an order?</p>	
<p>7 Will you use an interpreter at court?</p> <p><i>If Yes state the language into which the interpreter will translate.</i></p> <p><i>Note: If you require an interpreter you must bring your own.</i></p>	
<p>Signed (Respondent)</p>	<p>Date</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

The court

The full name(s) of the child(ren)

Your full name

The omitted address

This form is to be used by any party in Family Proceedings who does not wish to reveal the address of their private residence or that of any child. This address will not be revealed to any person save by order of the court. State that address.

FORM C6 STATEMENT OF SERVICE Family Proceedings Rules (Northern Ireland) 1996: Rule 4.9(5)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

- You must**
- give details of service of the application on each of the other parties
 - give details of service on person to whom notice has to be given
 - file this form with the court on or before the first Directions Appointment or Hearing of the Proceedings
- You should**
- if the person's solicitor was served, give his or her name and address
 - if the guardian ad litem was served on behalf of the child, give his or her name and **panel** address.
- You must indicate**
- the manner, date, time and place of service,
 - or ● where service was effected by post, the date, time and place of posting.

Name and address of person served	How, when and where served	Prescribed forms served

I have served the [applicant] [Notice of Proceedings] as stated above.

I am the [applicant] [solicitor for the applicant] [other (state)]

Signed

Date

FORM C7SUPPLEMENT FOR AN APPLICATION FOR FINANCIAL PROVISION FOR A CHILD OR VARIATION OF FINANCIAL PROVISION FOR A CHILD *Schedule 1 Children (Northern Ireland) Order 1995*

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

1 About the application

State whether you are seeking

- *an order for a lump sum; a transfer of property; a settlement of property; periodical payments; secured periodical payments*
- or ● *a variation of an order for periodical payments; secured periodical payments; payment of a lump sum by instalments.*

2 Previous court orders and written agreements

If a written agreement or court order has been made a copy should be attached to this application.

- If not available state*
- *the date*
 - *the terms*
 - *the parties*
 - *the court.*

3 The Child Support Agency

Assessment for maintenance

State whether the Agency has made an assessment *Yes* *No*
for the maintenance of the child(ren):

If Yes, state whether you are applying for additional child maintenance

- *because the Child Support Agency will no longer deal with your claim. You should explain why the Agency will not deal with the claim.*
- or ● *on top of payments made through the Child Support Agency. You should explain why you need additional maintenance and confirm that the Child Support Agency's assessment is the maximum amount obtainable.*

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Written agreement for maintenance

State whether there is a written maintenance agreement: Yes No

If No, state whether you are applying for payment:

- for [a] stepchild[ren]
- in addition to child support maintenance already paid under a Child Support Agency assessment
- to meet expenses arising from the disability of [a] child[ren]
- to meet expenses incurred by [a] child[ren] in being educated or training for work
- when either the child[ren] OR the person with care of the child[ren] OR the absent parent of the child[ren] is not habitually resident in the United Kingdom
- for any other reason (specify):

4 About the order

State the terms of the order you ask the court to make and in particular

- the amount you would like the court to order
- whether you would like that amount paid weekly or monthly (if you are not applying for a lump sum)
- why you require the payments, or would like the court to carry an existing order.

5 The collection of payment

If payments are not to be collected and paid to you by the Child Support Agency, give full details of how you would like payments collected. Possible ways are:

- Directly to a bank, building society or post office account**
Give the full name and address, sorting code and the number of the account into which payment is to be made.
- By an attachment of earnings order**
This is a court order which is sent to the employer of the person who is to pay.
- If you would like the court to direct that money is paid in some other way**
Please say what method you would like.

And if you do not mind how the money is paid, please say so. The court will decide how it should be paid.

Signed	Date
(Applicant)	

You should now complete a Statement of Means, Form C7A

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Warning The court will require to see written evidence of unemployment or sickness; or wage or salary slips, bank statements, and other papers giving details of your means. This evidence should be attached to this form or brought with you when you attend the hearing.

1 About you

- State
- your title, full name, address, telephone number and date of birth
 - whether you are married, single or other
 - whether you are the applicant or the respondent.

2 Your dependants

- State for each dependant
- the dependant's title, full name and age
 - whether the dependant is a spouse, partner, child or other
 - whether the dependant is wholly or partially financially dependent on you
 - whether the dependant lives with you.

3 Your employment

- State whether you are employed, self-employed or other.
- If you are employed, state
- your employment
 - your employer's name, address and daytime telephone number.

4 Your buildings and land

- List all buildings and land you own, whether in your name alone or jointly, stating for each
- the address
 - the name(s) of the owner(s)
 - the current value.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

5 Your financial assets

List each bank, building society and post office account, stating for each

- the name and address where the account is held
- the account number
- the current balance.

List all investments and securities (for example, shares, insurance policies) stating for each one the name and quantity and current value.

List all pension schemes, stating for each one the scheme name and the company.

6 Other possessions of value

List all possessions of value (for example, jewellery, antiques, collectable items), stating for each:

- what they are
- the current value.

7 Your income

		State whether Weekly (W) or Monthly (M)
If employed, state your usual take home pay	£	
If self-employed, state		
● your drawings	£	
● your gross turnover	£	
● your profit after expenses	£	
● whether you expect your turnover to increase, decrease or remain the same:		
● the date of the accounts showing the above gross turnover and profit after expenses		Year ending 19
In all cases, state any of the following which you receive		
● Income Support	£	
● Child Benefits	£	
● Child Support Agency	£	
● Other state benefits (specify source)	£	
	£	
● Pension(s) (specify source)	£	
	£	
	£	
● Contributions from others in the home (total)	£	
● Other income (specify source and amount)	£	
	£	
	£	
	£	
	£	
	£	
	£	
Total income:	£	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

8 Court Orders

Enclose a copy of any order

Court	Case Number	Amount outstanding (£)	Amount of payment (£)	Weekly (W) or Monthly (M)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

9 Your expenses

	Amount of payments	Weekly (W) or Monthly (M)	Total debt	Amount of
Mortgage				
1st	_____	_____	_____	_____
2nd	_____	_____	_____	_____
Rent	_____	_____		_____
Rates	_____	_____		_____
Gas	_____	_____		_____
Electricity	_____	_____		_____
Telephone	_____	_____		_____
Water charges	_____	_____		_____
Credit Card	_____	_____	_____	_____
Loans	_____	_____		_____
Storecards	_____	_____		_____
HP Payments	_____	_____	_____	_____
TV rental and licence	_____	_____		_____
Mail Order	_____	_____	_____	_____
Food	_____	_____		_____
Clothing	_____	_____		_____
Public transport	_____	_____		_____
Car expenses	_____	_____		_____
School meals	_____	_____		_____
Child minding	_____	_____		_____
Maintenance	_____	_____		_____
Child Support Agency	_____	_____		_____
Other payments (give details)	_____	_____	_____	_____
	_____	_____	_____	_____
Total Payments	_____	_____	_____	_____

Signed _____ Date _____
 [Applicant] [Respondent]

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

1 Description of the child(ren)

If a child's identity is not known, state details which will identify the child.
You may enclose a recent photograph of the child, which should be dated.

2 The grounds for the application

The grounds are

ANY APPLICANT A that there is reasonable cause to believe that [this] [these] child[ren] [is] [are] likely to suffer significant harm if

the child[ren] [is] [are] not removed to accommodation by or on behalf of this applicant

or the child[ren] [does] [do] not remain in the place where [the child] [they] [is] [are] currently being accommodated.

BOARD OR TRUST APPLICANTS B that inquiries are being made about the welfare of the child[ren] under Article 66(1)(b) of the Children (Northern Ireland) Order 1995 and those enquiries are being frustrated by access to the child[ren] being unreasonably refused to someone who is authorised to seek access and there is reasonable cause to believe that access to the child[ren] is required as a matter of urgency.

AUTHORISED PERSON APPLICANTS C that there is reasonable cause to suspect that the child[ren] [is] [are] suffering, or [is] [are] likely to suffer, significant harm and inquiries are being made with respect to the welfare of the child[ren] and those inquiries are being frustrated by access to the child[ren] being unreasonably refused to someone who is authorised to seek access and there is reasonable cause to believe that access to the child[ren] is required as a matter of urgency.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3 The additional order(s) applied for

- information on the whereabouts of the child[ren] (Article 67(1) of the Children (Northern Ireland) Order 1995).
- authorisation for entry of premises (Article 67(3) of the Children (Northern Ireland) Order 1995).
- authorisation to search for another child on the premises (Article 67(4) of the Children (Northern Ireland) Order 1995).

4 The direction(s) sought

- contact (Article 63(6)(a) of the Children (Northern Ireland) Order 1995).
- a medical or psychiatric examination or other assessment of the child[ren] (Article 63(6)(b) of the Children (Northern Ireland) Order 1995).
- to be accompanied by a registered medical practitioner, registered nurse or registered health visitor (Article 64(1) of the Children (Northern Ireland) Order 1995)

5 The reason(s) for the application

If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.

Signed	Date
(Applicant)	

FORM C9SUPPLEMENT FOR AN APPLICATION FOR A WARRANT TO ASSIST A PERSON AUTHORISED BY AN EMERGENCY PROTECTION ORDER *Article 67 Children (Northern Ireland) Order 1995*

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

On the Divorce County Court for the
Division of _____ |

[In the Family Care Centre at _____ |

1 Description of the child(ren)

*If a child's identity is not known, state details which will identify the child.
You may enclose a recent photograph of the child, which should be dated.*

2 The grounds for the application

An emergency protection order was made on:

(State the date and time, and attach a copy of the order)

- and a person **has been prevented** from exercising powers under the order by being refused entry to premises or access to the child(ren)
or
 that a person **is likely to be prevented** from exercising powers under the order by being refused entry to premises or access to the child(ren)

3 The direction(s) sought

- State*
- *whether you wish to accompany the constable, if the warrant is granted*
 - *whether you wish the constable to be accompanied by a registered medical practitioner, registered nurse or registered health visitor, if he so wishes*
 - *where the constable is to take the child, if the warrant is executed.*

4 The reason(s) for the application

If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.

Signed
(Applicant)

Date

FORM C10SUPPLEMENT FOR AN APPLICATION FOR A CARE OR SUPERVISION ORDERArticle 50 Children (Northern Ireland) Order 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

{In the High Court of Justice in Northern Ireland}

{In the Divorce County Court for the
Division of _____ }

{In the Family Care Centre at _____ }

1 The grounds for the application

The grounds are that the child[ren] [is] [are] suffering or [is] [are] likely to suffer, significant harm and the harm, or likelihood of harm, is attributable to

- the care given to the child[ren], or likely to be given to the child[ren] if the order were not made, not being what it would be reasonable to expect a parent to give to the child[ren]
- the child[ren] being beyond parental control

2 The reason(s) for the application

If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.

3 Your plans for the child(ren)

- include*
- *in the case of supervision orders only, any requirements which you will invite the court to impose pursuant to paragraph 3 Schedule 3 Children (Northern Ireland) Order 1995*
 - *in all cases, whether you will invite the court to make an interim order*

4 The direction(s) sought

Signed
(Applicant)

Date

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

{In the Divorce County Court for the
Division of }

[In the Family Care Centre at]

1 The current arrangements for contact

- State
- the full name(s) of each person who has contact with each child and the current arrangements for contact
 - whether the Board or Trust has refused contact for 7 days or less.

2 The order applied for

State the full name and relationship of any person in respect of whom authority to refuse contact with each child is sought.

3 The reason(s) for the application

If you are relying on a report or other documentary evidence state the date(s) and author(s) and enclose a copy.

Signed
(Applicant)

Date

FORM C12SUPPLEMENT FOR AN APPLICATION FOR CONTACT WITH A CHILD IN
CARE Article 53(2) and (3) Children (Northern Ireland) Order 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

1 Your relationship to the child(ren)

State whether

- *you are a parent or guardian*
- *you hold a residence order which was in force immediately before the care order was made*
- *you had care of the child(ren) through an order which was in force immediately before the care order was made.*

2 The order applied for and your reason(s) for the application

If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.

Signed
(Applicant)

Date

FORM C13 SUPPLEMENT FOR AN APPLICATION FOR A CHILD ASSESSMENT
ORDER Article 62 Children (Northern Ireland) Order 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

1 The grounds for the application

The grounds are that there is reasonable cause to suspect that the child[ren] [is]
[are] suffering, or [is] [are] likely to suffer, significant harm
and
an assessment of the state of the child[ren]'s health or
development or of the way in which the child[ren] [has] [have]
been treated, is required to determine whether or not the
child[ren] [is] [are] suffering, or [is] [are] likely to suffer,
significant harm
and
it is unlikely that such an assessment will be made, or be
satisfactory, in the absence of an order under this section.

State your reason(s) for believing the grounds exist.

*If you are relying on a report or other documentary evidence, state the date(s) and
author(s) and enclose a copy.*

2 The direction(s) sought in respect of the assessment

3 The direction(s) sought in respect of contact

Signed
(Applicant)

Date

FORM C14SUPPLEMENT FOR AN APPLICATION FOR AN EDUCATION SUPERVISION
ORDER Article 55 Children (Northern Ireland) Order 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Paragraph 6 Schedule 4 Children (Northern Ireland) Order 1995

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

1 Prior consultation

State the name of the Board or Trust which has been consulted:

The Board or Trust is the authority providing the child[ren] with accommodation or on whose behalf the child[ren] [is] [are] being provided with accommodation.

or

the Board or Trust is the authority within whose area the child[ren] live[s], or will live.

2 The grounds for the application

The ground is that the child[ren] [is] [are] of compulsory school age and [is] [are] not being properly educated.

State your reason(s) for believing the ground exists. If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.

3 The order and direction(s) applied for

Signed
(Applicant)

Date

FORM C14ASUPPLEMENT FOR AN APPLICATION FOR AN EXTENSION OF AN EDUCATION SUPERVISION ORDER Paragraph 5(2) of Schedule 4 to the Children (Northern Ireland) Order 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

1 About the Education Supervision Order

State when the order was made and when it is due to end.

Enclose a copy of the order.

2 The extension

State your reason(s) for asking the court to extend the order. If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.

Signed
(Applicant)

Date

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

1 Particulars of the child(ren)

State whether the child(ren) [is] [are] in care
or the subject
of an
emergency
protection
order
or in police
protection

} Enclose
a copy
of the
order

If a child's identity is not known, state details that will identify the child.
You may enclose a recent photograph of the child, which should be dated.

2 The order and direction(s) applied for

- State
- whether the child(ren) (is) (are) to be produced to an authorised person specified by the court (Article 69(7) Children (Northern Ireland) Order 1995)
 - whether you require the court to authorise a constable to enter specified premises (Article 69(3)(d) Children (Northern Ireland) Order 1995).

3 The grounds for the application

The grounds are that the child(ren) [has] [have] been unlawfully taken away or [is] [are] being unlawfully kept away from the responsible person
or [has] [have] run away or [is] [are] staying away from the responsible person
or [is] [are] missing.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

4 The reason(s) for the application

Include your ground(s) for believing that the child(ren) (is) (are) on the premises named in paragraph 2 above (if applicable) (Article 69(6) Children (Northern Ireland) Order 1995).

If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.

Signed
(Applicant)

Date

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

1 About you (the applicant)

- State
- your title, full name, address, telephone number, and relationship to the child(ren) (if any)
 - your solicitor's name, address, reference, telephone, FAX and DX numbers
 - whether you are:
 - a person authorised by a Board or Trust
 - a person authorised by the Department
 - a supervisor acting under a supervision order

2 Description of the child(ren) (if applicable)

If a child's identity is not known, state details which will identify the child.
You may enclose a recent photograph of the child, which should be dated.

3 The grounds for the application

- I am attempting to exercise powers under an enactment within Article 178 of the Children (Northern Ireland) Order 1995 at the following premises (*give full address*):
- and**
- I have been prevented from exercising those powers by
- I am likely to be prevented from exercising those powers by

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PERSON AUTHORISED BY THE AUTHORITY	<i>Article 77(5)</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to accommodation provided by a voluntary organisation] [being, or likely to be, refused access to a child in accommodation provided by a voluntary organisation]
	<i>Article 93</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to a children's home] [being, or likely to be, refused access to a child in a children's home] [being, or likely to be, refused access to records kept in a children's home]
	<i>Article 108</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to a private foster home] [being, or likely to be, refused access to a child in a private foster home]
	<i>Article 130</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to domestic premises where child-minding is carried on] [being, or likely to be, refused access to a child on domestic premises where child-minding is carried on] [being, or likely to be, refused access to records kept in domestic premises where child-minding is carried on]
	<i>Article 175</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to premises on which day care for children under the age of 12 is provided] [being, or likely to be, refused access to a child in premises on which day care for children under the age of 12 is provided] [being, or likely, to be refused access to records kept on premises on which day care for children under the age of 12 is provided]
	<i>Article 176</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to a residential care, nursing or mental nursing home] [being, or likely to be, refused access to a child in a residential care, nursing or mental nursing home]
	<i>Article 176</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to an independent school] [being, or likely to be, refused access to a child in an independent school]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PERSON AUTHORISED BY THE DEPARTMENT	<input type="checkbox"/>	<i>Article 34 Adoption (Northern Ireland) Order 1987</i>	[being, or likely to be, refused entry to premises on which a protected child is, or is likely to be, kept] [being, or likely to be, prevented from visiting a protected child]
		<input type="checkbox"/>	[being, or likely to be, refused access to a child in any of the premises specified by Article 149] [being, or likely to be, refused access to records stored in any of the premises specified in Article 149]
SUPERVISOR UNDER THE SUPERVISION ORDER	<input type="checkbox"/>	<i>Paragraph 7(1)(b) Schedule 3</i>	[being, or likely to be, refused entry to accommodation where a supervised child is living]
		<input type="checkbox"/>	[being, or likely to be, refused contact with a supervised child by a responsible person]

4 The respondent(s)

For each respondent state the title, full name, address, telephone number and relationship (if any) to each child.

5 The reason(s) for the application

If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.

6 The direction(s) sought

- State*
- *whether you wish to accompany the constable, if the warrant is granted*
 - *whether you wish the constable to be accompanied by a registered medical practitioner, registered nurse or registered health visitor, if he so wishes.*

Signed	Date
(Applicant)	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

1 The grounds for the application

- The grounds are that the child[ren] [has] [have] a history of absconding and [is] [are] likely to abscond from any other accommodation and if the child[ren] absconds [he] [she] [they] [is] [are] likely to suffer significant harm.
- that if the child[ren] [is] [are] kept in any other accommodation, [the child] [they] [is] [are] likely to injure [himself] [herself] [themselves] or other people.
- (In the case of a child under the age of 13)* The approval of the Department of Health and Social Services to the placement of the child[ren] in secure accommodation has been granted and is attached.

2 The reason(s) for the application and length of order applied for

If you are relying on a report or other documentary evidence, state the date(s) and author(s) and enclose a copy.

Signed
(Applicant)

Date

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

and;

Case Number:

The full name(s) of the child(ren)	Date(s) of birth	Child(ren)'s number(s)
------------------------------------	------------------	------------------------

[Order]	[Direction]
---------	-------------

Ordered by

611

FORM C19IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Record of the Hearing on:	Case Number:
The full name(s) of the child(ren)	Child(ren)'s Number(s)

Attendees

Name

Represented by

Evidence

The court read the report/statement of

The court heard oral evidence [on oath] from

Findings

The court made the following findings of fact

Reasons

The reasons for the court's decision are

Dated

FORM C20IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order Emergency Protection Order
Article 63 Children (Northern Ireland) Order 1995

The full name(s) of the child(ren) Boy or Girl Date(s) of birth

[described as

Warning It is an offence intentionally to obstruct any person exercising the power under Article 63(4)(b) Children (Northern Ireland) Order 1995 to remove, or prevent the removal, of a child (Article 63(15) Children (Northern Ireland) Order 1995)

The court grants an Emergency Protection Order to the applicant who is
The order gives the applicant parental responsibility for the child[ren].

The court authorises [the applicant to remove the child[ren] to accommodation provided by or on behalf of the applicant]
[the applicant to prevent the child[ren] being removed from

[This order directs that any person who can produce the child[ren] to the applicant must do so.]

The court directs that

This order ends on at [am] [pm]

Ordered by
on at [am] [pm]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Notes about the Emergency Protection Order

<i>About this order</i>	<p>This is an Emergency Protection Order.</p> <p>This order states what has been authorised in respect of the child[ren] and when the order will end.</p> <p>The court can extend this order for up to 7 days but it can only do this once.</p>
<i>Warning</i>	<p>If you are shown this order, you must comply with it. If you do not, you may commit an offence. Read the order now.</p>
<i>What you may do</i>	<p>You may apply to the court</p> <p>to change the directions</p> <p>or to end the order.</p> <p>You may apply at any time, but the court will only hear an application to end an order when 72 hours have passed since the order was made.</p> <p>If you would like to ask the court to change the directions, or end the order, you must fill in a form. You can obtain the form from a court office.</p> <p>If the court has directed that the child[ren] should have a medical, psychiatric or another kind of examination, you may ask the court to allow a doctor of your choice to be at the examination.</p>
<i>What you should do</i>	<p>Go to a solicitor as soon as you can.</p> <p>Some solicitors specialise in court proceedings which involve children. You can obtain the address of a solicitor or an advice agency from the Yellow Pages or the Law Society.</p> <p>A solicitor or an advice agency will be able to tell you whether you may be eligible for legal aid.</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order [Variation of an Emergency Protection Order direction
(Article 63(9)(b) Children (Northern Ireland) Order 1995)
{Extension of an Emergency Protection Order
(Article 64(4) Children (Northern Ireland) Order 1995)
{Discharge of an Emergency Protection Order
(Article 64(7) Children (Northern Ireland) Order 1995

The full name(s) of the child(ren) Date(s) of birth

The court [extends]
[varies] [discharges] {(the direction[s] given) [the Emergency Protection Order
granted] by [this court] the

court]

on at [am] [pm]

[The direction(s) are
varied as follows]

[The order now ends on]

Ordered by

on at [am] [pm]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Warrant To assist a person authorised by an Emergency Protection Order
Article 67(9) Children (Northern Ireland) Order 1995

To all Police Constables

The court was satisfied that

who is the applicant, has been prevented, or is likely to be prevented from exercising powers under an Emergency Protection Order by being refused entry to the named premises or access to the child concerned.

The court authorises

you to assist the applicant to exercise powers under an Emergency Protection Order made on
You may use reasonable force if necessary.

You may assist the applicant to gain access to the child

Name

Boy or Girl

Date of birth

described as

You may assist the applicant to gain entry to the premises

known as

The court directs

[that you should not be accompanied by the person who applied for the warrant]

[that you may, if you wish, be accompanied by
a registered medical practitioner

or a registered nurse

or a registered health visitor]

You should execute this warrant in accordance with the orders and directions contained in the Emergency Protection Order.

This warrant has [not] been made ex parte.

This warrant ends on

Ordered by

on

at

[am]

[pm]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of _____]

[In the Family Care Centre at _____]

Order Authority to keep a child in Secure Accommodation
Article 44 Children (Northern Ireland) Order 1995

The full name(s) of the child _____ Date of birth _____

The court authorises

to keep the child in secure accommodation until

This order has been made
on the ground that

[the child has a history of absconding and is likely to
abscond from any other accommodation, and if the child
absconds [he] [she] is likely to suffer significant harm]
[if the child is kept in any other accommodation the child
is likely to injure [himself] [herself] or other persons]

[The court was satisfied

that the child, not being legally represented, had been
informed of [his] [her] right to apply for legal aid and
having had the opportunity to apply, had refused or failed
to apply]

Ordered by _____

on _____

FORM C24IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order	Authority to search for another child Article 67(4) Children (Northern Ireland) Order 1995		
	The full name(s) of the child	Boy or Girl	Date of birth
	[who is described as]		

The court was satisfied that [an order had been granted on
to the applicant for the emergency protection of a
child, *known as*

and that the order had authorised the applicant to
enter these premises].
[there was reasonable cause to believe that the child
named in this order may be on those premises and
that an Emergency Protection Order ought to be
made in respect of that child].

The court authorises who is the applicant
to enter the premises, *known as*
and search for the child.

Warning It is an offence intentionally to obstruct the
applicant from entering or searching the
premises specified above (Article 67(4) and (7)
Children (Northern Ireland) Order 1989).

This order has [not] been made ex parte.

This order ends on

Ordered by _____
on _____ at _____ [am] [pm]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Warrant To assist a person to gain access to a child or entry to premises
Article 178 Children (Northern Ireland) Order 1995

To all Police Constables

The court authorises you to assist
exercise powers under an enactment as specified on
the reverse of this warrant.
You may use reasonable force if necessary.

[You may assist this person
to gain access to the child]

Name
Boy or Girl *Date of birth*
described as

[You may assist this person
to gain entry to the premises]

known as

The court directs

{that you should not be accompanied by the person
who applied for the warrant}
{that you may, if you wish, be accompanied by
a registered medical practitioner
or a registered nurse
or a registered health visitor}

This warrant has [not] been made ex parte.

Ordered by

on at [am] [pm]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

The court is satisfied that the applicant

- has been prevented from exercising those powers by
- is likely to be prevented from exercising those powers by

PERSON
AUTHORISED
BY THE
AUTHORITY

<i>Article 77(5)</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to accommodation provided by a voluntary organisation] [being, or likely to be, refused access to a child in accommodation provided by a voluntary organisation]
<i>Article 93</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to a children's home] [being, or likely to be, refused access to a child in a children's home]
<i>Article 108</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to a private foster home] [being, or likely to be, refused access to a child in a private foster home]
<i>Article 130</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to domestic premises where child-minding is carried on] [being, or likely to be, refused access to a child on domestic premises where child-minding is carried on] [being, or likely to be, refused access to records kept on domestic premises where child-minding is carried on]
<i>Article 175</i>	<input type="checkbox"/>	[being, or likely to be, refused access to a child in premises on which day care for children under the age of 12 is provided] [being, or likely to be, refused entry to a residential care, nursing or mental nursing home] [being, or likely to be, refused entry to premises on which day care for children under the age of 12 is carried out] [being, or likely to be, refused access to a child in a residential care, nursing or mental nursing home] [being, or likely to be, refused access to records kept on premises on which day care for children under the age of 12 is provided]
<i>Article 176</i>	<input type="checkbox"/>	[being, or likely to be, refused entry to an independent school] [being, or likely to be, refused access to a child in an independent school]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PERSON AUTHORISED BY THE DEPARTMENT	Article 149	<input type="checkbox"/>	[being, or likely to be, refused entry to any of the premises specified by Article 149]
		<input type="checkbox"/>	[being, or likely to be, refused access to a child in any of the premises specified by Article 149]
	Article 34 Adoption (Northern Ireland) Order 1987	<input type="checkbox"/>	[being, or likely to be, refused entry to premises on which a protected child is, or is likely to be, kept] [being, or likely to be, refused access to a protected child]
SUPERVISOR UNDER THE SUPERVISION ORDER	Paragraph 7(1)(b) Schedule 3	<input type="checkbox"/>	[being, or likely to be, refused entry to accommodation where a supervised child is living]
	Paragraph 7(2)(b) Schedule 3	<input type="checkbox"/>	[being, or likely to be, refused contact with a supervised child by a responsible person]

FORM C26IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order Recovery of a child
Article 69 Children (Northern Ireland) Order 1995

The full name(s) of the child Boy or Girl Date of birth

The court is satisfied that [] has parental responsibility
for the child by virtue of a [Care Order] [Emergency
Protection Order] made on []
[the child is in police protection and the designated
officer is]

[The court authorises
Warning [a police constable] to remove the child.]
**It is an offence intentionally to obstruct the
person from removing the child
(Article 69(9) Children (Northern Ireland)
Order 1995)**

[The court authorises [a police constable to enter the premises, known as
and search for the child, using reasonable force if
necessary.]

[The court requires any person who has information about where the
child is, or may be, to give that information to a
police constable or an officer of the court, if asked
to do so.]

[The court directs any person who can produce the child when asked
to by
[a police constable] to do so.]

This order has [not] been made ex parte.

Ordered by _____
on _____

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order [Care Order
Article 50 Children (Northern Ireland) Order 1995
[Discharge of a Care Order
Article 58(1) Children (Northern Ireland) Order 1995

The full name(s) of the child[ren]	Date(s) of birth
------------------------------------	------------------

[The court orders	[that the child[ren] be placed in the care of Board/Trust]
-------------------	---

[The court discharges	[the Care Order made by [this court] [the on] court]
-----------------------	--

Warning

While a Care Order is in force no person may cause the child[ren] to be known by a new surname or remove the child[ren] from the United Kingdom without the written consent of every person with parental responsibility for the child[ren] or the leave of the court.

However, the Board or Trust, in whose care [a] [the] child[ren] [is] [are], may remove that child from the United Kingdom for a period of less than 1 month.

It may be a criminal offence under the Child Abduction (Northern Ireland) Order 1985 to remove the child[ren] from the United Kingdom without the leave of the court.

Ordered by	
on	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order [Contact with a child in care
Article 53(2) and (3) Children (Northern Ireland) Order 1995]
[Authority to refuse contact with a child in care
Article 53(4) Children (Northern Ireland) Order 1995]

The full name(s) of the child[ren] Date(s) of birth

The authority

The court orders that [there may be contact between the child[ren] and]

[the authority is authorised to refuse contact between the
child[ren] and]

[The contact is subject
to the following conditions]

[Notice Any authority may refuse to allow the contact that would otherwise be required by virtue of Article 53(1) of the Children (Northern Ireland) Order 1995 or an order under this section if (a) they are satisfied that it is necessary to do so in order to safeguard or promote the welfare of the child[ren]; and (b) the refusal (i) is decided upon as a matter of urgency; and (ii) does not last for more than 7 days (Article 53(6) Children (Northern Ireland) Order 1995).]

Ordered by _____

on _____

FORM C30IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of _____]

[In the Family Care Centre at _____]

Order [Supervision Order]
Article 50 and Schedule 3 Children (Northern Ireland) Order 1995
[Interim Supervision Order]
Article 57 and Schedule 3 Children (Northern Ireland) Order 1995

The full name(s) of the child[ren]	Date(s) of birth
------------------------------------	------------------

The court orders

to supervise the child[ren] [for a period of _____ months from the date of this order]

[for the interim period of _____]

The court directs

Ordered by _____

on _____

FORM C31 IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order [Substitution of a Supervision Order for a Care Order
Article 58(4) Children (Northern Ireland) Order 1995]
[Discharge] [Variation] of a Supervision Order
Article 58(2) and (3) of the Children (Northern Ireland) Order 1995
[Extension of a Supervision Order
Paragraph 6(3) Schedule 3 Children (Northern Ireland) Order 1995]

The full name(s) of the child(ren) Date(s) of birth

The court {substitutes}
[discharges: {varies}]
[extends] the {Supervision Order} {for the} {Care Order}

made by {[this court] [the court]}

on

The court orders
to supervise the child(ren).

The court directs

[This order ends on]

Ordered by
on

FORM C32IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995[In the High Court of Justice in Northern Ireland]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order Education Supervision Order
Article 55 Children (Northern Ireland) Order 1995

The full name(s) of the child(ren) Date(s) of birth

Warning A parent of the child[ren] may be guilty of an offence if he or she persistently fails to comply with a direction given by the supervisor under this order while it is in force
(Paragraph 8 Schedule 4 Children (Northern Ireland) Order 1995)

The court was satisfied that the child[ren] [was] [were] of compulsory school age and [was] [were] not being properly educated.

The court orders

education and library board

to supervise the child[ren] [for a period of 12 months beginning on the date of this order]
[until the child[ren] [is] [are] no longer of compulsory school age].

Ordered by _____

on _____

FORM C33IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order {Discharge of an Education Supervision Order
Paragraph 7 Schedule 4 Children (Northern Ireland) Order 1995}
{Extension of an Education Supervision Order
Paragraph 5 Schedule 4 Children (Northern Ireland) Order 1995}

The full name(s) of the child(ren) Date(s) of birth

The court [discharges]
[extends] the Education Supervision Order
made by [this court] [the
court]

on

requiring

education and library board to supervise the child[ren].

[The court directs under Paragraph 7(2) Schedule 4 Children (Northern
Ireland) Order 1995

Board [Trust] shall investigate the circumstances of the
child[ren]]

[This order ends on]

Ordered by
on

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order Child Assessment Order
Article 62 Children (Northern Ireland) Order 1995

The full name(s) of the child Date of birth.

The court orders a [medical] [psychiatric] []
] assessment of the child

The court directs that
[the child is to be
assessed at]

[the child is to be
assessed by]

[the child may be kept
away from home and
stay at

from
to
While away from home, the child must be allowed contact
with

the assessment is to
begin by

and last no more than days from the date it begins.

Notice

Any person who is in a position to produce the child must
do so to

and must comply with the directions in this order.

Ordered by

on

FORM C35IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Direction To undertake an investigation
Article 56 Children (Northern Ireland) Order 1995

The full name(s) of the child(ren) Date(s) of birth

It appears to the court that it may be appropriate for a Care or Supervision Order to be made in respect of the child[ren].

The court directs the authority to investigate the circumstances of the child[ren].

[The court directs copies of the following documents

shall be served on the authority.]

Reporting the result The authority must report to the court, in writing, under Article 56 of the Children (Northern Ireland) Order 1995

Ordered by

011

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order Family Assistance Order
Article 16 Children (Northern Ireland) Order 1995

The full name(s) of the child(ren) Date(s) of birth

The court orders [an officer of Board/Trust]
to be made available to advise, assist and, where
appropriate, befriend

[The court directs

This order ends on

Notice This Order will have effect for 6 months from the date below, or such lesser period as specified.

Ordered by

on

FORM 37IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland)

[In the Divorce County Court for the
Division of

[In the Family Care Centre at

Order {Residence} [Contact] [Specific Issue] [Prohibited Steps] Order
Article 8 Children (Northern Ireland) Order 1995

The full name(s) of the child(ren)

Date(s) of birth

The court orders

Warning

Where a Residence Order is in force no person may cause the child[ren] to be known by a new surname or remove the child[ren] from the United Kingdom without the written consent of every person with parental responsibility for the child[ren] or the leave of the court.

However, this does not prevent the removal of [a] child[ren], for a period of less than 1 month, by the person in whose favour the Residence Order is made (Article 13(1) and (2) Children (Northern Ireland) Order 1995).

It may be a criminal offence under the Child Abduction (Northern Ireland) Order 1985 to remove the child[ren] from the United Kingdom without the leave of the court.

Notice

Any person with parental responsibility for [a] child[ren] may obtain advice on what can be done to prevent the issue of a passport to the child[ren]. They should write to The United Kingdom Passport Agency, Clive House, Petty France, LONDON, SW1H 9HD.

Ordered by

on

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order [Leave to change the surname by which a child is known
Article 13(1) 52(7) Children (Northern Ireland) Order 1995]
[Leave to remove a child from the United Kingdom
Article 13(1) 52(7) Children (Northern Ireland) Order 1995]

The full name(s) of the child(ren)	Date(s) of birth
------------------------------------	------------------

The court grants leave to

[to change the child(ren)'s
surname to]

[and] [to remove the child(ren)] from the United Kingdom

[permanently] [until]

Ordered by _____
on _____

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of _____]

[In the Family Care Centre at _____]

Order	[Parental Responsibility Order Article 7(1) Children (Northern Ireland) Order 1995] [Termination of a Parental Responsibility Order Article 7(3) Children (Northern Ireland) Order 1995]
	_____ The full name(s) of the child(ren) Date(s) of birth

The court orders that

_____ shall [no longer] have parental responsibility for the child{ren}.

- Notice** A parental responsibility order can only end
- (a) When the child reaches 18 years
 - (b) By order of the court made
 - on the application of any person who has parental responsibility
 - with leave of the court on application of the child.

Ordered by _____
on _____

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order [Appointment of a guardian
Article 159 Children (Northern Ireland) Order 1995]
[Termination of the appointment of a guardian
Article 163 Children (Northern Ireland) Order 1995]

The full name(s) of the child(ren) Date(s) of birth

[The court appoints

to be the guardian of the child(ren).

This appointment will begin on]

[The court orders that the appointment of
as guardian of the child(ren) be terminated.]

Ordered by _____
on _____

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order [Making or refusing the appointment of a guardian ad litem
Article 60 Children (Northern Ireland) Order 1995]
[Termination of the appointment of a guardian ad litem
Family Proceedings Rules (Northern Ireland) 1996: Rule 4.11(10)]

The full name(s) of the child(ren) Date(s) of birth

The court [appoints] [refuses to appoint] [terminate the appointment of] [a[s]
guardian ad litem] for the child[ren] in the proceedings

- for a Care Order or Supervision Order
- for discharge of a Care Order
- for variation or discharge of a Supervision Order
- for substitution of a Supervision Order for a Care Order
- for Contact, or Refusal of Contact, with a child in care
- for consideration of a Residence Order for a child in care
- under Article 33 Children (Northern Ireland) Order 1995
- under Paragraph 6(3) Schedule 3 Children (Northern Ireland) Order 1995
- under Part VI Children (Northern Ireland) Order 1995 (specify)
- where a Direction under Article 56(1) Children (Northern Ireland) Order 1995 has been made and the court [has made] [is considering] whether to make an [Interim Care Order] [Supervision Order]
- under Article 52(7) Children (Northern Ireland) Order 1995
- under Article 44 Children (Northern Ireland) Order 1995
- concerning an Appeal against a determination in any of the above proceedings
- other proceedings which are

The appointment shall continue until [] [terminated by the court]

Ordered by _____

on _____

FORM C42IN THE MATTER OF THE CHILDREN (NORTHERN IRELAND) ORDER 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

{In the High Court of Justice in Northern Ireland}

{In the Divorce County Court for the
Division of

{In the Family Care Centre at

Order {Appointment of a solicitor for a child
Article 60(3) Children (Northern Ireland) Order 1995}
 {Refusal of the appointment of a solicitor
Family Proceedings Rules (Northern Ireland) 1996: Rule 4.13(5) and (6)}
 {Termination of the appointment of a solicitor
Family Proceedings Rules (Northern Ireland) 1996: Rule 4.13(3) and (4)}

The full name(s) of the child(ren)	Date(s) of birth
------------------------------------	------------------

{The court is satisfied that the child[ren] [is] [are] not presently separately represented by a solicitor and

- a guardian ad litem has not been appointed for the child[ren]; and
- the child[ren] [has] [have] sufficient understanding to instruct a solicitor and has expressed a wish to do so; and
- it would be in the interests of the child[ren] for [him] [her] [them] to be separately represented.

{The court orders that [it refuses the appointment of a solicitor for the child[ren]]
 [the appointment of]
 {
 of
 }
 [be appointed as solicitor for the child[ren]]
 [as solicitor for the child[ren] be terminated]

Ordered by _____
 on _____

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[In the High Court of Justice in Northern Ireland]

[In the Divorce County Court for the
Division of]

[In the Family Care Centre at]

Order Transfer of proceedings to [the High Court] [the county court for the
Division of] [family care centre at]
family proceedings court]
The Children (Allocation of Proceedings) (Northern Ireland) Order 1995

The full name(s) of the child(ren) Date(s) of birth

The court orders that proceedings concerning the child(ren) be transferred to
the

[High Court] [the county court for the Division of
] [family care centre]
[family proceedings court]

because

The next [Hearing]
[Directions Appointment] is on at [am] [pm]
at

Please address all
future correspondence to

Ordered by _____
on _____

APPENDIX 2

Contents of Petition

(Unless otherwise directed under Rule 2.4)

- 1. Every petition shall state:—
 - (a) the names of the parties to the marriage and the date and place of the marriage;

- (b) the last address at which the parties to the marriage have lived together as husband and wife;
- (c) where it is alleged that the court has jurisdiction based on domicile—
 - (i) the country in which the petitioner is domiciled, and
 - (ii) if that country is not Northern Ireland, the country in which the respondent is domiciled;
- (d) where it is alleged that the court has jurisdiction based on habitual residence—
 - (i) the country in which the petitioner has been habitually resident throughout the period of one year ending with the date of the presentation of the petition, or
 - (ii) if the petitioner has not been habitually resident in Northern Ireland, the country in which the respondent has been habitually resident during that period, with details in either case, including the addresses of the places of residence and the length of residence at each place;
- (e) the occupation and residence of the petitioner and the respondent;
- (f) whether there are any living children of the family and, if so—
 - (i) the number of such children and the full names (including surname) of each and his date of birth or (if it be the case) that he is over 18 years of age; and
 - (ii) in the case of each minor child over the age of 16, whether he is receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation;
- (g) whether (to the knowledge of the petitioner in the case of a husband's petition) any other child now living has been born to the wife during the marriage, and if so, the full names (including surname) of the child and his date of birth, or, if it be the case, that he is over 18 years of age;
- (h) if it be the case, that there is a question whether a living child is a child of the family;
- (i) where an application is being made for periodical payments or secured periodical payments for a child of the family,
 - (i) whether the application is
 - for a stepchild;
 - in addition to child support maintenance; already payable under a Child Support Agency assessment;
 - to meet expenses arising from a child's disability;
 - to meet expenses incurred by a child being educated or trained for work;
 - on some other specified ground; or
 - (ii) that the child or the person with care of the child or the absent parent of the child is not habitually resident in the United Kingdom;
- (j) whether or not there have been any applications under the Order of 1991 for a maintenance assessment in respect of any child of the family and if so
 - (i) the date of any such application, and
 - (ii) if available, details of the assessment made;
- (k) whether or not there are or have been any other proceedings in any court in Northern Ireland or elsewhere with reference to the marriage or to any children of the family or between the petitioner and the respondent with reference to any property of either or both of them, and, if so—

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- (i) the nature of the proceedings,
 - (ii) the date and effect of any decree or order, and
 - (iii) in the case of proceedings with reference to the marriage, whether there has been any resumption of cohabitation since the making of the decree or order;
- (l) whether there are any proceedings continuing in any country outside Northern Ireland which relate to the marriage or are capable of affecting its validity of subsistence and, if so—
- (i) particulars of the proceedings, including the court in or tribunal or authority before which they were begun,
 - (ii) the date when they were begun,
 - (iii) the names of the parties,
 - (iv) the date or expected date of any trial in the proceedings, and
 - (v) such other facts as may be relevant to the question whether the proceedings on the petition should be stayed under Schedule 1 to the Order of 1978;
- and such proceedings shall include any which are not instituted in a court of law in that country, if they are instituted before a tribunal or other authority having power under the law having effect there to determine questions of status, and shall be treated as continuing if they have been begun and have not been finally disposed of;
- (m) where the fact on which the petition is based is 5 years' separation, whether any, and if so what, agreement or arrangement has been made or is proposed to be made between the parties for the support of the respondent or, as the case may be, the petitioner or any child of the family;
- (n) in the case of a petition for divorce under Article 3(2)(e) of the Order of 1978 whether the petitioner proposes if a decree nisi is granted to make any financial provision for the respondent giving details of any proposal not mentioned under paragraph (k);
- (o) in the case of a petition for divorce, that the marriage has broken down irretrievably;
- (p) the fact alleged by the petitioner for the purposes of Article 3(2) of the Order of 1978 or, where the petition is not for divorce or judicial separation, the ground on which relief is sought, together in any case with brief particulars of the individual facts relied on but not the evidence by which they are to be proved;
- (q) any further or other information required by such of the following paragraphs and by rule 88 as may be applicable.
2. A petition for a decree of nullity under Article 14(e) or (f) of the Order of 1978 shall state whether the petitioner was at the time of the marriage ignorant of the facts alleged.
3. A petition for a decree of presumption of death and dissolution of marriage shall state:—
- (a) the last place at which the parties to the marriage cohabited;
 - (b) the circumstances in which the parties ceased to cohabit;
 - (c) the date when and the place where the respondent was last seen or heard of; and
 - (d) the steps which have been taken to trace the respondent.
4. Every petition shall conclude with—
- (a) a prayer setting out particulars of the relief claimed, including any claim for costs and any application for ancillary relief which it is intended to claim;
 - (b) the names and addresses of the persons who are to be served with the petition, indicating if any of them is a person under disability;

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- (c) the petitioner’s address for service, which, if the petitioner sues by a solicitor, shall be the solicitor’s name or firm and address or, if the petitioner sues in person, shall be his place of residence as given under paragraph 1(e) above or, if no place of residence in Northern Ireland is given, the address to which documents for him may be delivered or sent.

APPENDIX 3

Notices and Respondents

(i) Provision under which proceedings brought	(ii) Minimum number of days prior to hearing or directions appointment for service under rule 4.5(1)(b)	(iii) Respondents	(iv) Persons to whom notice is to be given
All applications	See separate entries below	Subject to separate entries below: every person whom the applicant believes to have parental responsibility for the child; where the child is the subject of a care order, every person whom the applicant believes to have had parental responsibility immediately prior to the making of the care order; in the case of an application to extend, vary or discharge an order, the parties to the proceedings leading to the order which it is sought to have extended, varied or discharged;	Subject to separate entries below: any authority providing accommodation for the child; persons who are caring for the child at the time when the proceedings are commenced; in the case of proceedings brought in respect of a child who is alleged to be staying in a refuge which is certificated under Article 70(1) or (2), the person who is providing the refuge.
Article 7(1)(a), 7(4), 8, 13(1), 16(6), 33(1), 52(7), 159(1),	14 days	As for “all applications” above, and:	As for “all applications” above, and:

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(i) Provision under which proceedings brought	(ii) Minimum number of days prior to hearing or directions appointment for service under rule 4.5(1)(b)	(iii) Respondents	(iv) Persons to whom notice is to be given
163(1), Schedule 1, Paragraphs 10(3) and 12(4) of Schedule 8		<p>in the case of proceedings under Schedule 1, those persons whom the applicant believes to be interested in or affected by proceedings;</p> <p>in the case of an application under paragraph 10(3)(b) or 12(4) of Schedule 8, any person, other than the child, named in the order or directions which it is sought to discharge or vary.</p>	<p>in the case of an application for an Article 8 order, every person whom applicant believes—</p> <p>(i) to be named in a court order with respect to the same child, which has not ceased to have effect,</p> <p>(ii) to be a party to pending proceedings in respect of the same child, or</p> <p>(iii) to be a person with whom the child has lived for at least 3 years prior to the application,</p> <p>unless, in a case to which (i) or (ii) applies, the applicant believes that the court order or pending proceedings are not relevant to the application;</p> <p>in the case of an application under Article 33(1), the parties to the proceedings leading to the care order;</p> <p>in the case of an application under Article 159(1), the father of the child if he</p>

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(i) Provision under which proceedings brought	(ii) Minimum number of days prior to hearing or directions appointment for service under rule 4.5(1)(b)	(iii) Respondents	(iv) Persons to whom notice is to be given
Article 55(1), 58(1), 58(2), 58(3), 58(4), 62(1), Paragraph 6(3) of Schedule 3, Paragraphs 5(2) and 7(1) of Schedule 4	7 days	<p>As for “all applications” above, and:</p> <p>in the case of an application under Article 58(2) or (3), the supervisor;</p> <p>in the case of proceedings under paragraph 7(1) of Schedule 4, the education and library board concerned;</p> <p>in the case of proceedings under Article 55 or paragraph 5(2) or 7(1) of Schedule 4, the child.</p>	<p>does not have parental responsibility.</p> <p>As for “all applications” above, and:</p> <p>in the case of an application for an order under Article 62(1)—</p> <p>(i) every person whom the applicant believes to be a parent of the child,</p> <p>(ii) every person whom the applicant believes to be caring for the child,</p> <p>(iii) every person in whose favour a contact order is in force with respect to the child, and</p> <p>(iv) every person who is allowed to have contact with the child by virtue of an order under Article 53.</p>
Article 50, 53(2), 53(3), 53(4), 53(9) or 57(8)(b)	3 days	<p>As for “all applications” above, and:</p> <p>in the case of an application under Article 53, the person whose contact with the child is the subject of the application.</p>	<p>As for “all applications” above, and:</p> <p>in the case of an application under Article 50—</p> <p>(i) every person whom the applicant believes to</p>

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(i) Provision under which proceedings brought	(ii) Minimum number of days prior to hearing or directions appointment for service under rule 4.5(1)(b)	(iii) Respondents	(iv) Persons to whom notice is to be given
Article 62(12)	2 days	As for “all applications” above.	<p>be a party to pending relevant proceedings in respect of the same child, and</p> <p>(ii) every person whom the applicant believes to be a parent without parental responsibility for the child.</p> <p>Those of the persons referred to in Article 62(11)(a) to (e) who were not party to the application for the order which it is sought to have varied or discharged.</p>
Article 44, 63(1), 63(9)(b), 64(3), 64(7), 67(9), 69(1), 178(1)	1 day	<p>As for “all applications” above, and: in the case of an application under Article 63(9)(b)—</p> <p>(i) the parties to the application for the order in respect of which it is sought to vary the directions;</p> <p>(ii) any person who was caring for the child prior to the making of the order, and</p> <p>(iii) any person whose contact with the child is affected by the direction which it is sought to have varied;</p>	<p>Except for applications under Article 178(1), as for “all applications” above, and:</p> <p>in the case of an application under Article 63(1), every person whom the applicant believes to be a parent of the child; in the case of an application under Article 63(9)(b)—</p> <p>(i) the authority in whose area the child is living, and</p> <p>(ii) any person whom the applicant believes to be affected by the</p>

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(i) Provision under which proceedings brought	(ii) Minimum number of days prior to hearing or directions appointment for service under rule 4.5(1)(b)	(iii) Respondents	(iv) Persons to whom notice is to be given
		in the case of an application under Article 69, the person whom the applicant alleges to have effected or to have been or to be responsible for the taking or keeping of the child.	direction which it is sought to have varied; in the case of an application under Article 178(1), the person referred to in Article 178(1) and any person preventing or likely to prevent such a person under enactments (6) of that Article.