

2010 No. 786 (L. 6)

FAMILY PROCEEDINGS

SENIOR COURTS OF ENGLAND AND WALES

COUNTY COURTS, ENGLAND AND WALES

The Family Proceedings (Amendment) Rules 2010

<i>Made</i> - - - -	<i>10th March 2010</i>
<i>Laid before Parliament</i>	<i>16th March 2010</i>
<i>Coming into force</i> - -	<i>6th April 2010</i>

The Family Proceedings Rule Committee makes the following Rules in exercise of the powers conferred by section 40(1) of the Matrimonial and Family Proceedings Act 1984(a):

Citation and commencement

1. These Rules may be cited as the Family Proceedings (Amendment) Rules 2010 and come into force on 6th April 2010.

Amendments to the Family Proceedings Rules 1991

2. The Family Proceedings Rules 1991(b) are amended in accordance with rules 3 to 10.
3. In the Arrangement of Rules—
- (a) after the entries for Part 3, insert—

“PART IIIA

**APPLICATIONS FOR ORDERS PREVENTING AVOIDANCE UNDER
SECTION 32L OF THE CHILD SUPPORT ACT 1991(c)**

- 3A.1 Scope of this Part
- 3A.2 Interpretation
- 3A.3 Application of CPR

(a) 1984 c.42. Section 40(1) was amended by section 125(3) of and paragraph 50 of Schedule 18 to the Courts and Legal Services Act 1990 (c.41), section 15(1) of and paragraphs 379 and 380 of Schedule 4 to the Constitutional Reform Act 2005 (c.4) and by section 59(5) and paragraphs 4(1) and (3) of Part 2 of Schedule 11 to that Act.

(b) S.I. 1991/1247. Relevant amending instruments are S.I. 1994/3155, 2004/3375, 2005/2922, 2008/2861 and 2009/ 2027.

(c) 1991 c.48. Section 32L was inserted by section 24 of the Child Maintenance and Other Payments Act 2008 (c.6).

3A.4 Where and how to start proceedings

3A.5 Who the parties are

3A.6 Service of the application

3A.7 Applications without notice”; and

(b) after the entry for rule 4.14, insert—

“4.14A Timetable for the Child in proceedings for a care order or supervision order”.

4. In rule 1.2(1), after the entry for “civil partnership proceedings county court” insert—

““Commission” means the Child Maintenance and Enforcement Commission;”.

5. After Part III insert—

“PART IIIA

APPLICATIONS FOR ORDERS PREVENTING AVOIDANCE UNDER SECTION 32L OF THE CHILD SUPPORT ACT 1991

Scope of this Part

3A.1. Subject to rule 3A.7, the rules in this Part apply to applications made under section 32L(1) and (2) of the Act of 1991.

Interpretation

3A.2. In this Part—

“child support maintenance” has the meaning assigned to it in section 3(6) of the Act of 1991;

“reviewable disposition” has the meaning assigned to it in section 32L(5) of the Act of 1991.

Application of CPR

3A.3. Subject to the provisions of this Part, CPR Part 8 (alternative procedure for claims) and CPR rules 31.17 to 31.19 apply as appropriate with any necessary modifications to proceedings in this Part.

Where and how to start proceedings

3A.4.—(1) The application shall be made to the High Court by originating summons out of—

(a) the principal registry; or

(b) any district registry.

(2) The application may be heard by—

(a) a judge;

(b) a district judge of the principal registry; or

(c) if directed by a judge, a district judge in a district registry.

(3) Unless the court directs otherwise, the application shall—

(a) include the following information—

(i) the name and address of the person who owes child support maintenance;

- (ii) the amount of outstanding child support maintenance and the period during which that amount has been outstanding;
 - (iii) details of the calculation of the amount of outstanding child support maintenance;
 - (iv) any steps taken to date to enforce payment of the amount of outstanding child support maintenance; and
 - (v) in the case of applications made without notice, the reasons why notice has not been given;
- (b) where the application relates to land—
- (i) state whether the title to the land is registered or unregistered and, if registered, the Land Registry title number; and
 - (ii) give particulars, as far as known to the applicant, of any mortgagee of the land or any other interest in the land;
- (c) in the case of an application under section 32L(2) of the Act of 1991, the name and address of the person in whose favour the reviewable disposition is alleged to have been made; and
- (d) state the facts relied on in support of the application including—
- (i) in the case of an application under section 32L(1) of the Act of 1991, the identity of the proposed disposition or other dealing with property which would have the consequence of making ineffective a step that has been or may be taken to recover the amount of outstanding child support maintenance;
 - (ii) in the case of an application under section 32L(2) of the Act of 1991, the identity of the disposition which is alleged to be reviewable and has had the consequence of making ineffective a step taken, or which may have been taken, to recover the amount of outstanding child support maintenance.

(4) Where the Commission is not relying on evidence to give rise to the presumption under section 32L(7) of the Act of 1991 (that the person who disposed of or is about to dispose of or deal with property did so or, as the case may be is about to do so, with the intention of avoiding payment of child support maintenance) then the Commission shall give other evidence supporting the person's intention of avoiding such payment.

Who the parties are

3A.5.—(1) The applicant in the proceedings is the Commission and the respondent is the person who has failed to pay child support maintenance.

- (2) The court may at any time direct that—
- (a) any person be made a party to proceedings; or
 - (b) a party be removed from the proceedings.

Service of the application

3A.6.—(1) The applicant shall serve the application, a copy of any sworn statement in support and the acknowledgement of service on—

- (a) any respondent;
- (b) the person in whose favour the reviewable disposition is alleged to have been made; and
- (c) such other persons as the court directs.

(2) Where an application includes an application relating to land, the applicant shall serve a copy of the application on any—

- (a) mortgagee;
- (b) trustee of a trust of land or settlement; and

(c) other person who has an interest in the land,

of whom particulars are given in the application.

(3) Any person served under paragraph (2) may make a request to the court in writing, within 14 days beginning with the date of service of the application, for a copy of the applicant's sworn statement in support of the application.

(4) Any person who—

(a) is served with copies of the application and the applicant's sworn statement in support of the application under paragraph (1); or

(b) receives a copy of the applicant's sworn statement in support of the application following a request under paragraph (3),

may within 14 days beginning with the date of service or receipt file a statement in answer.

(5) A statement in answer filed under paragraph (4) shall be sworn to be true.

Applications without notice

3A.7.—(1) This rule applies to an application under section 32L(1) of the Act of 1991.

(2) The court may grant an application made without notice if it appears to the court that there are good reasons for not giving notice.

(3) If the applicant makes an application without giving notice, the sworn statement in support of the application shall state the reasons why notice has not been given.

(4) If the court grants an application under paragraph (2) —

(a) the order shall include a provision allowing any respondent to apply to the court for the order to be reconsidered as soon as just and convenient at a full hearing; and

(b) the applicant shall, as soon as reasonably practicable, serve upon each respondent a copy of the order and copies of the application and sworn statement in support of the application.”.

6. In rule 4.4, in paragraph (1A)—

(a) in sub-paragraph (a)(i), after “C100,” insert “C110,”;

(b) for sub-paragraph (a)(ii) substitute—

“(ii) supplemental Forms C10, C11, C12 and C13A to C20 as appropriate,”; and

(c) after sub-paragraph (a)(ii) insert—

“(iiA) in the case of an application for a care order or supervision order, such of the documents specified in the Annex to Form C110 as are available, and”.

7. In rule 4.14(2), after “paragraph (3)”, insert “and rule 4.14A”.

8. After rule 4.14, insert—

“Timetable for the Child in proceedings for a care order or supervision order

4.14A.—(1) In proceedings for a care order or a supervision order, the court shall set the timetable of the proceedings in accordance with the Timetable for the Child.

(2) The “Timetable for the Child” means the timetable set by the court in accordance with its duties under sections 1 and 32 of the Act of 1989 and shall—

(a) take into account dates of the significant steps in the life of the child who is the subject of the proceedings; and

(b) be appropriate for that child.”.

9. In rule 8.A1, omit paragraph (1)(c).

10. In Appendix 1—

- (a) in the list of forms—
 - (i) in the entry for Form C1, for the words in the third column, substitute “Children Act 1989 except care and supervision orders, Section 8 orders and orders related to enforcement of a contact order”;
 - (ii) after the entry for Form C100, in the first column insert “C110”, in the second column “Application” and in the third column “under the Children Act 1989 for a care order or supervision order”; and
 - (iii) omit the entry for Form C13;
- (b) for Form C1, substitute the form set out in Part 1 of the Schedule;
- (c) after Form C100, insert Form C110 as set out in Part 2 of the Schedule; and
- (d) omit Form C13.

Transitional provisions relating to care and supervision orders

11. Where proceedings for a care or supervision order have been commenced before these Rules come into force, the Family Proceedings Rules 1991 shall apply to those proceedings as if rule 6 had not been made.

*Mark Potter, P
Philip Waller
Bruce Edgington
Duncan Adam
David Salter
Charles Hyde*

I allow these Rules

10th March 2010

Michael Wills
Minister of State
Ministry of Justice

PART 1

Application for an order

Form C1

Children Act 1989 except care and supervision orders, Section 8 orders and orders related to enforcement of a contact order.

If you are applying for a section 8 order or an order related to enforcement of a contact order you will need to use a different application form (Form C100 for Section 8 orders and Form C79 for enforcement). Booklet 'CB1 - Making an application - children and the family courts' gives more information. You can get a copy from your local court or you can download a copy from our website at www.hmcourts-service.gov.uk.

If you are applying for a care or supervision order, you will need to use Form C110, which is available at www.hmcourts-service.gov.uk.

Cafcass/CAFCASS CYMRU will carry out checks as it considers necessary.

Cafcass - Children and Family Court Advisory and Support Service (in England); CAFCASS CYMRU - Children and Family Court Advisory and Support Service Wales.

The court	To be completed by the court
	Date issued
	Case number
The full name(s) of the child(ren)	Child(ren)'s number(s)

Important Note

You should only answer question 7 if you are applying for a **Parental Responsibility Order**.

1 About you (the person completing this form known as '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, Parental Responsibility Order).

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 contact address (if known) of the children's guardian, if appointed*
- *the name and contact address (if known) of the children and family reporter, if appointed*
- *the name and contact address (if known) of the welfare officer, if appointed*
- *the name and contact address (if known) of the solicitor appointed for the child(ren).*

4 The respondent(s)

Appendix 3 Family Proceedings Rules 1991; Schedule 2 Family Proceedings Courts (Children Act 1989) Rules 1991

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 Family Proceedings Rules 1991; Schedule 2 Family Proceedings Courts (Children Act 1989) Rules 1991

For each person state:

- *the title, full name and address*
- *the date of birth (if known) or the 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 Domestic abuse, violence or harm

Do you believe that the child(ren) named above have suffered or are at risk of suffering any harm from any of the following:

- *any form of domestic abuse*
- *violence within the household*
- *child abduction*
- *other conduct or behaviour*

by any person who is or has been involved in caring for the child(ren) or lives with, or has contact with, the child(ren)?

Please tick the box which applies

Yes

No

If you tick the Yes box, you must also fill in Supplemental Information Form (form CIA). You can obtain a copy of this from a court office if one has not been enclosed with the papers served on you.

8 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 Social Services department.*
- *whether the child is, or has been, on the Child Protection Register. If so, give details of registration.*

9 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.*

10 The parents of the child(ren)

For each child state:

- *the full name of the child's parents*
- *whether the parents are, or have been, married to each other or civil partners of 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.*

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

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

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

12 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.*

13 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** complete this section if this form is accompanied by a supplementary form.*

14 Attending the court

State:

- *whether you will need an interpreter at court. If so, please indicate what language and dialect you will use. If you require an interpreter you must notify the court immediately so that one can be arranged.*
- *whether you have a disability for which you require special assistance or special facilities. If so, please say what your needs are. The court staff will get in touch with you about your requirements.*

15 Parenting Information – Arrangements after Separation

	Yes	No
<i>Have you received a Parenting Plan booklet? (If No, you may obtain a copy from a court office, a citizen's advice bureau or other family advice service.)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Have you agreed to a Parenting Plan? (If Yes, please include a copy of the Plan when you send your application to the court)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>If you did agree a Parenting Plan, has the Plan broken down?</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>If Yes, please explain briefly why the Plan broke down –</i>		

Signed
(Applicant)

Date

CI

PART 2

C110

Application under the Children Act 1989 for a care or supervision order

To be completed by the court	
Name of court	
Date issued	
Case number	
Child(ren)'s name(s)	Child(ren)'s number(s)

Summary of application

Name of applicant

Name of respondent(s)

Child 1 - Name of child	Date of birth	Order(s) applied for (including interim orders)										
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D	D	/	M	M	/	Y	Y	Y	Y			
Name of mother	Name of father	Parental Responsibility										
		<input type="checkbox"/> Yes <input type="checkbox"/> No										
Child 2 - Name of child	Date of birth	Order(s) applied for (including interim orders)										
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D	D	/	M	M	/	Y	Y	Y	Y			
Name of mother	Name of father	Parental Responsibility										
		<input type="checkbox"/> Yes <input type="checkbox"/> No										
Child 3 - Name of child	Date of birth	Order(s) applied for (including interim orders)										
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D	D	/	M	M	/	Y	Y	Y	Y			
Name of mother	Name of father	Parental Responsibility										
		<input type="checkbox"/> Yes <input type="checkbox"/> No										
Child 4 - Name of child	Date of birth	Order(s) applied for (including interim orders)										
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D	D	/	M	M	/	Y	Y	Y	Y			
Name of mother	Name of father	Parental Responsibility										
		<input type="checkbox"/> Yes <input type="checkbox"/> No										

1. The applicant

Name of applicant
(local authority or authorised person)

Name of contact

Job title

Address

Postcode

Contact telephone number

Mobile telephone number

Fax number

Email

DX number

Solicitor's details

Solicitor's name

Address

Postcode

Telephone number

Mobile telephone number

Fax number

Email

DX number

Solicitor's Reference

2. The child(ren)

Please give details of the child(ren) and the order(s) you are applying for.
If there are more than 4 children please continue on a separate sheet.

Child 1

Child's first name

Middle name(s)

Surname

Date of birth

 / /

Gender

Male

Female

Name of Social worker and telephone number

Is the child subject of a child protection plan?

Yes

No

Are there any health or disability issues relating to the child?

Yes

No

If Yes, please give details

Who does the child live with?

At which address does the child live?

Postcode

Please give the full names of any other adults living at the same address and their relationship to the child.

Are there any contact arrangements in place for this child?

Yes

No

If Yes, please give details

Name of person	Frequency of contact	Supervised contact
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Child 2

Child's first name

Middle name(s)

Surname

Date of birth

Gender

 Male Female

Name of Social worker and telephone number

Is the child subject of a child protection plan?

 Yes No

Are there any health or disability issues relating to the child?

 Yes No

If Yes, please give details

Who does the child live with?

At which address does the child live?

Postcode

Please give the full names of any other adults living at the same address and their relationship to the child.

Are there any contact arrangements in place for this child?

 Yes No

If Yes, please give details

Name of person	Frequency of contact	Supervised contact
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

Child 3

Child's first name

Middle name(s)

Surname

Date of birth D D / M M / Y Y Y Y

Gender Male Female

Name of Social worker and telephone number

Is the child subject of a child protection plan? Yes No

Are there any health or disability issues relating to the child? Yes No

If Yes, please give details

Who does the child live with?

At which address does the child live?

Postcode

Please give the full names of any other adults living at the same address and their relationship to the child.

Are there any contact arrangements in place for this child? Yes No

If Yes, please give details

Name of person	Frequency of contact	Supervised contact
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Child 4

Child's first name

Middle name(s)

Surname

Date of birth

Gender

 Male Female

Name of Social worker and telephone number

Is the child subject of a child protection plan?

 Yes No

Are there any health or disability issues relating to the child?

 Yes No

If Yes, please give details

Who does the child live with?

At which address does the child live?

Postcode

Please give the full names of any other adults living at the same address and their relationship to the child.

Are there any contact arrangements in place for this child?

 Yes No

If Yes, please give details

Name of person	Frequency of contact	Supervised contact
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

3. The respondents

If there are more than 2 respondents please continue on a separate sheet.

Respondent 1 _____

Respondent's first name

Middle name(s)

Surname

Date of birth

Gender

 Male Female

Place of birth
(town/county/country, if known)

Current address

Postcode

Telephone number

Are you aware of any relevant
family court proceedings
involving the respondent?

 Yes No

If Yes, give details (include type of order, date, name of court and case no.)

Relationship to the child(ren)

Name of child(ren)	Relationship	Parental Responsibility
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

Respondent 2

Respondent's first name

Middle name(s)

Surname

Date of birth

 / /

Gender

 Male

 Female

Place of birth
(town/county/country, if known)

Current address

Postcode

Telephone number

Are you aware of any relevant family court proceedings involving the respondent?

 Yes

 No

If Yes, give details (include type of order, date, name of court and case no.)

Relationship to the child(ren)

Name of child(ren)	Relationship	Parental Responsibility	
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

4. Grounds for the application

The grounds for the application are that the child(ren) is suffering or is likely to suffer, significant harm and the harm or likelihood of harm is because the child is:

- not receiving care that would be reasonably expected from a parent
- beyond parental control

5. Why are you making this application?

Please give a brief summary of why you are making this application. You should include:

- the background circumstances
- the precipitating circumstances

In this summary it is not sufficient just to refer to existing or future documents.

6. Factors affecting ability to participate in proceedings

Do you have any reason to believe that any respondent or other person to be given notice of the application may lack capacity to conduct proceedings?

Yes No

If Yes, please give details

Provide details of any referral to or assessment by the Adult Learning Disability team, together with the outcome

Are you aware of any other factors which may affect the ability of the person concerned to take part in the proceedings?

7. Plans for the child(ren)

Please give a brief summary of the plans for the child(ren).

· for supervision orders only, any requirements which you will invite the court to impose under Part 1 of Schedule 3 Children Act 1989

In this summary it is not sufficient just to refer to or repeat the Care Plan.

8. Timetable for the child(ren)

The timetable for the child will be set by the court to take account of dates of the significant steps in the child's life that are likely to take place during the proceedings. Those steps include not only legal steps but also social, care, health and education steps.

Please give any relevant dates/events in relation to the child(ren)

- it may be necessary to give different dates for each child.

Are you aware of any significant event in the timetable, before which the case should be concluded?

Yes No

If Yes, please give a date

D D / M M / Y Y Y Y

and give your reasons

9. Your allocation proposal

You need to provide the court with your proposal for allocation of this case.

Please select from the following:

- magistrates' court
- county court (Care Centre)
- High Court

and give your reasons

10. Other court cases which concern the child(ren)

Are you aware of any other court cases, including cases concerning the children, which are relevant to this application?

Yes

No If No, **go to section 11**

If Yes, give details (include type of order, date, name of court and case no.) and in cases where the child was represented the name of any guardian and solicitor for the child.

11. Others who should be given notice

Person 1

Person's first name

Middle name(s)

Surname

Date of birth

 / /

Gender

 Male

 Female

Address

Postcode

Relationship to the child(ren)

Name of child	Relationship	Parental Responsibility	
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

Relationship to the respondents

Name of respondent	Relationship

Person 2

Person's first name

Middle name(s)

Surname

Date of birth / /

Gender Male Female

Address

Postcode

Relationship to the child(ren)

Name of child	Relationship	Parental Responsibility	
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Relationship to the respondents

Name of respondent	Relationship
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

12. Signature

Print full name

Your role/position held

Signed

Applicant

Date

13. Attending the court

If an interpreter will be required, you must tell the court now so that one can be arranged.

Are you aware of whether an interpreter will be required?

 Yes No

If Yes, please specify the language and dialect:


If attending the court, do any of the parties involved have a disability for which special assistance or special facilities would be required?

 Yes No

If Yes, please specify what the needs are:

Please state whether the court needs to make any special arrangements for the parties attending court (e.g. providing a separate waiting room or other security requirements).

Court staff may get in contact with you about the requirements

continued over the page 

Annex

This annex must be completed by the applicant with any application for a care order or supervision order.

The documents specified in this annex must be filed with the application if available.

If any relevant document is not filed with the application, the reason and any expected date of filing must be stated.

All documents filed with the application must be clearly marked with their title and numbered consecutively.

1. Social Work Chronology

(A succinct summary)

attached to follow

If to follow please give reasons why not included and the date when the document will be sent to the court.

2. Initial Social Work Statement

attached to follow

If to follow please give reasons why not included and the date when the document will be sent to the court.

3. Initial and Core Assessments

attached to follow

If to follow please give reasons why not included and the date when the document will be sent to the court.

4. Letters Before Proceedings

attached to follow

If to follow please give reasons why not included and the date when the document will be sent to the court.

5. Schedule of Proposed Findings

attached to follow

If to follow please give reasons why not included and the date when the document will be sent to the court.

6. Care Plan

attached to follow

If to follow please give reasons why not included and the date when the document will be sent to the court.

What to do once you have completed this form

Ensure that you have:

- attached copies of any **relevant** documents.
- signed** the form at Section 12.
- provided a **copy** of the application and attached documents for each of the respondents, and for Cafcass or CAFCASS CYMRU.
- given details of the additional children if there are more than 4 in Section 2.
- given details of the additional respondents if there are more than 2 in Section 3.
- the correct fee.

It is good practice to inform Cafcass or CAFCASS CYMRU that you are making this application. The court will expect the local authority to have informed Cafcass or CAFCASS CYMRU that proceedings are being issued.

Have you notified Cafcass - Children and Family Court Advisory and Support Service (for England)
or
CAFCASS CYMRU - Children and Family Court Advisory and Support Service Wales.

Yes No

If Yes, please give the date of notification

/ /

Now take or send your application with the correct fee and correct number of copies to the court.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Family Proceedings Rules 1991.

Rule 5 inserts a new Part IIIA to provide for the court process for an application for an order preventing avoidance under section 32L of the Child Support Act 1991 (c.48). Part 8 and Rules 31.17 to 31.19 of the Civil Procedure Rules 1998 (S.I.1998/3132) are applied subject to the rules in Part IIIA and necessary modifications.

A new form (Form C110) is inserted for use when applying for a care order or supervision order and consequential amendments are made to Form C1 to reflect this.

Provision is made for Form C110 to have attached to it such of the documents specified in the Annex to that form as are available to ensure proceedings are not delayed by reason of a missing document.

A new rule 4.14A is inserted into the 1991 Rules and provides for the court to set the timetable for proceedings for a care order or supervision order in accordance with the Timetable for the Child as defined in that rule.

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