**PRECEDENT LIBRARY OF PUBLIC LAW CASE MANAGEMENT DIRECTIONS AND ORDERS**

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# Important notices

**IMPORTANT NOTICES**

## Penal notice

**IMPORTANT WARNING TO [*NAME*]**

**If you [*NAME*] of [*ADDRESS*] disobey this order you may be held to be in contempt of court and may be imprisoned, fined or have your assets seized.**

## Confidentiality warnings

**Until the conclusion of the proceedings no person shall publish to the public at large or any section of the public without the court’s permission any material which is intended or likely to identify the child[ren] as being involved in these proceedings or an address or school as being that of the child[ren]. Any person who does so is guilty of an offence.**

**Further, during the proceedings or after they have concluded no person shall publish information related to the proceedings including accounts of what has gone on in front of the judge, documents filed in the proceedings, transcripts or notes of evidence and submissions, and transcripts and notes of judgments (including extracts, quotations, or summaries of such documents). Any person who does so may be in contempt of court.**

**Information related to the proceedings must not be communicated to any person other than as allowed by Rules 12.73 or 12.75 or Practice Direction 12G of the Family Procedure Rules 2010.**

## Compliance warnings

**All parties must immediately inform the allocated judge as soon as they become aware that any direction given by the court cannot be complied with and to seek in advance an extension of time to comply.**

**In the event that a party fails to comply with directions and/or fails to attend any hearing without good reason the court may make final orders including care orders and placement orders at that hearing.**

## General provisions in this order, the first case management order, to apply in subsequent case management orders

**The following provisions in this first case management order shall apply throughout these proceedings unless the subsequent order expressly makes different provision:-**

**(i) The declaration of “Jurisdiction”.**

**(ii) The provisions made under the heading of “Documents/Bundles”.**

**(iii) The provisions made under the heading of “Variation of orders”.**

## Important information for litigants in person

**To [*name of LiP*]: You need to read this order and if there is anything you do not understand you should ask. If you are supporting (or being supported by) another party in the case, the lawyer for that party may be able to help. Otherwise you can ask the local authority to let you have a list of local lawyers who are members of the Children Accreditation Scheme and who may be able to advise or represent you.**

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# Definitions

**DEFINITIONS**

## Explanation of “file at court” and “serve on the parties”

**To [*name of LiP*]:**

1. **Where this order says “file at court” this means that you must send the evidence or document to the court office at: [*address*] or by email to [*email*].**
2. **Where this order says “serve on the parties” this means that you must send the evidence or document to:**
   1. **[*name of represented party*]’s solicitor, [*name*] at [*address*] or by email to [*email*].**
   2. **[*name of LiP party*] at [*address*] or by email to [*email*].**
   3. **[*insert*]**
3. **Before you serve a document on another party by email you must check with their solicitor that the solicitor accepts documents served by email. If they do not accept documents served by email you must send the document by post or hand deliver it.**
4. **The time and date that this order says to “file at court” or “serve on the parties” is the time and date that the document must arrive with the court or the other parties, and you must make sure you send it in good time for that to occur.**

# Recitals – legal aid

**(the following appropriate recital should be placed in the schedule to the order)**

## Family Advocacy Scheme (FAS)

1. The court records the following information for the purposes of the Family Advocacy Scheme (FAS):
   1. the advocates met for pre-hearing discussions between [*time*] and [*time*];
   2. the hearing started at [*time*] and ended at [*time*];
   3. the court allowed 1 hour thereafter for preparation and agreement of the order between [*time*] and [*time*];
   4. [*name of advocate*] is entitled to a bolt on because they are representing a client who is facing allegations that they have caused significant harm to a child which have been made or adopted by the local authority and are a live issue in proceedings;
   5. [*name of advocate*] is entitled to a bolt on because they are representing a person who has difficulty in giving instructions or understanding advice;
   6. all advocates are entitled to a bolt on because an independent expert witness was cross-examined and substantially challenged by a party at the hearing; and
   7. the advocates’ bundle page count is [*insert*].

## VHCC Cases (‘Events’) – Finding of Fact and Final Hearings

1. The court records the following information for the purposes of legal aid:
   1. the matter was listed for a [finding of fact hearing] / [final hearing];
   2. the sitting days were [*dates*] – that being a total of [*number*] sitting days;
   3. the case was also listed on [*dates*], but the case did not sit – that being a total of [*number*] under run(s); and
   4. it was not necessary for the court to endorse Family Advocacy Scheme Advocates’ Attendance Forms (‘FAS’ forms) at this hearing as the respondent parties’ Legal Aid Agency funding certificates are each subject to a VHCC

## Cases where a consent order is lodged without a hearing

1. The court records the following information for the purposes of the Family Advocacy Scheme (FAS):
   1. start time of pre-hearing discussions: [*time*];
   2. the advocates’ submitted a draft consent order to the court at [*time*] on [*date*];
   3. the court approved the draft order such that there was no need for a hearing to take place; and
   4. the advocates spent a total of [*number*] hours and [*number*] minutes discussing the case and preparing the draft order.

## Prohibition of Cross-Examination in Person Qualified Legal Representative Scheme’ Funding Recital

1. The court has noted the following provisions for the Cross-Examination Qualified Legal Representative Remuneration Scheme:
   1. Heard before: [*judicial title/level of judge*]
   2. Hearing date: [*date*]
   3. Name of court-Appointed Qualified Legal Representative: [*name*]
   4. Name of court: [*court name*]
   5. Court type: [*court type*]
   6. Case type: [*case type*]
   7. Type of hearing: [Preliminary] / [Final] / [*insert other hearing with cross-examination*]
   8. Pre-hearing discussions began at: [*time*]
   9. Start time of the hearing: [*time*]
   10. End time, including time to agree an order: [*time*]
   11. TOTAL LENGTH OF THE HEARING (DEDUCT ANY ADJOURNMENT): [*hours and minutes*]
   12. [Bundle: [*number of pages*]]

# Orders

## Adjournment of this hearing

1. This hearing is adjourned until [*time*] on [*date*] at the Family Court sitting at [*court name*] before [*name of judge*] allowing [*number*] hours.

## Advocates’ meeting

1. The child[ren]’s solicitor shall arrange an advocates’ meeting [at [*time*] on [*date*]] / [not later than 2 working days before the next hearing] / [not later than 7 working days before the IRH] which shall be attended by the advocates who will appear at the hearing or any subsequent fact-finding or final hearing if different.
2. The agenda for the advocates’ meeting on [*date*] shall include:
   1. agreement of a threshold document setting out what is agreed and any disputed allegations that need to be determined; and
   2. an agreed witness template for the final hearing.

## Allocation

1. The proceedings are allocated for case management to [*name of judge*].
2. The proceedings are re-allocated for case management to *name of judge*].

## Alternative carer assessments

1. The local authority shall by 4.00pm on [*date*] file at court, serve on the parties, and send to the person assessed viability assessments of the alternative carers proposed by the parents.
2. In the event that any viability assessment is positive, the local authority shall file at court, serve on the parties, and send to the person being assessed a special guardianship or connected person foster care assessment of that person by 4.00pm on [*date*].
3. Permission is given for the local authority to disclose such documents as they consider necessary from the bundle to the person being assessed.
4. If the assessment is negative the local authority shall write to the person assessed informing them how they may apply to the court to challenge that assessment and the date and time of the next hearing in this matter.
5. The local authority is requested to fund a session of legal advice for one potential carer (or joint carers) for consideration of the legal basis upon which they seek to care for the child[ren].
6. The local authority must not undertake any further viability assessments without application to the court.
7. The local authority must arrange for any proposed special guardian to attend the hearing on [*date*] provided for above. The proposed special guardian must be sent a copy of the care plans for the child[ren] when [it is] / [they are] filed at court and served on the parties.

## Appointment of the Official Solicitor as litigation friend

**(Insert the following recitals into order)**

1. [*Name of expert*]’s capacity assessment report dated [*date*] confirms [*name*] lacks capacity (within the meaning of the Mental Capacity Act 2005) to conduct the proceedings.
2. The court records that [*name*] is a protected party within the meaning of r.2.3 Family Procedure Rules 2010; that this is a case of last resort; and that [*name*] has the benefit of a legal aid certificate for representation in the proceedings.

**(Within the body of the order)**

1. The Official Solicitor is invited to act for [*name*], and shall, subject to their consent, be appointed to act.
2. The solicitors for [*name*] shall forthwith complete and send to the Official Solicitor the referral form for Children Act public law cases, together with the documents required by that form.
3. The solicitor for [*name*] shall keep the court informed as to their progress in meeting the Official Solicitor’s criteria for continuing to act and will notify the parties in the event of a delay in the Official Solicitor accepting appointment.

## Additional Official Solicitor clauses

1. Because [*name*] is not publicly funded:
   1. All parties shall cooperate with, and respond promptly to, any request by the Official Solicitor for information or documents to assist in establishing whether [*name*] would be eligible for legal aid or how their legal costs will otherwise be met.
   2. If any party is aware that [*name*] has a person properly appointed to manage their financial affairs, that party shall forthwith provide the Official Solicitor with the details of that person.
2. The Official Solicitor may apply to the case management judge for directions to assist in securing [*name*]’s legal costs.

## Appointment of a qualified legal representative

**(insert the following recital into the order)**

1. The court has considered whether it is necessary in the interests of justice for the witness(es) to be cross-examined by a qualified legal representative(s) and concluded that it is necessary to appoint such a qualified legal representative(s) to conduct the cross-examination.

**(within the body of the order)**

1. The court is to appoint a qualified legal representative on behalf of [*name of person prohibited from questioning*] for the hearing[s] listed on [*date*] at [*time*] at The Family Court sitting at [*court name*].
2. The court is authorised to share the contact details of [*name of person prohibited from questioning*] with the court-appointed qualified legal representative.

## Assessment of litigation capacity and cognitive functioning

1. [*Name*] shall by 4.00pm on [*date*] file at court and serve on the parties a report from [*name of expert*] assessing their cognitive functioning and whether in the expert’s opinion [*name*] has capacity (within the meaning of the Mental Capacity Act 2005) to conduct the proceedings; is competent to give evidence and if so any recommendations for measures required for them to give their best evidence; and has capacity to consent to placement for adoption or the making of a placement order. The cost of the report shall be paid by [the parties equally] / [name].
2. This matter is listed for a hearing at the Family Court sitting at [*court name*] on [*date*] at [*time*] before [*name of judge*] allowing 30 minutes to determine [*name*]’s capacity to conduct the proceedings. This hearing shall stand vacated if on receipt of the expert evidence the court is informed that a) [*name*] has capacity to conduct the proceedings and no party challenges that expert evidence; or b) [*name*] does not have capacity to conduct the proceedings and the parties lodge a consent order providing for the appointment of a litigation friend for [*name*].

## Assessment plan

1. The local authority shall by 4.00pm on [*date*] file at court and serve on the parties an assessment plan setting out what assessments have already been conducted, and the local authority plans for future assessments of the family.

## Authorisation to refuse contact

1. Until further order the local authority is authorised to refuse to allow contact between [*name of child*] and [*name*].

## Children giving evidence

1. At the hearing on [*date*] provided for above, the court will determine whether [*name of child*] should give oral evidence. In preparation for that hearing:
   1. The local authority shall by [*date*] make available any ABE interview of the child to be viewed by the judge and all parties;
   2. **(where there is a pending criminal investigation or prosecution)** The local authority shall give notice to [*police force*] [and the CPS] that a decision will be made at the hearing whether the child should give evidence in these proceedings and that they may either send written representations or attend the hearing to express any views they have;
   3. the guardian shall by 4.00pm on [*date*] file at court and serve on the parties a report in respect of whether the child should give oral evidence;
   4. the parties must by 4.00pm on [*date*] lodge and exchange skeleton arguments.
2. [*Name of child*] will give oral evidence at the hearing on [*date*] and there will be a ground rules hearing at the Family Court sitting at [*court name*] on [*date*] at [*time*] before [*name of judge*] allowing 1 hour.
3. The application for [*name of child*] to give oral evidence is refused.

## Completion of forms to consider prevention of cross examination in person

1. [*Name of whichever party is the alleged victim*] is to complete **Form EX740** (Application and information needed by the court to consider whether to prevent (prohibit) questioning (cross-examination) in person) by [*date*].

**(or)**

[*Name of whichever party is the alleged perpetrator*] is to complete **Form EX741** (Application and information needed by the court to consider whether to prevent (prohibit) questioning (cross-examination) in person)] by [*date*].

## Concluded relevant criminal proceedings

1. [*Name*] shall by 4.00pm on [*date*] serve on the parties copies of the following documents from the criminal proceedings with case number [*case no.*] heard at the [Magistrates] / [Crown] Court sitting at [*court name*]:
   1. The indictment/charges;
   2. Witness statements;
   3. Any written basis of plea placed before the court;
   4. Pre-sentence and other reports placed before the court;
   5. A transcript of sentencing remarks;
   6. The certificate of conviction.
2. The parties shall by 4.00pm on [*date*] agree which of those documents is relevant to these proceedings and shall file them at court and include them in the court bundle.
3. The cost of obtaining the above documents from the criminal proceedings shall be paid by the parties equally.

## Contact records

1. The local authority shall serve on the parties paginated contact records on a [fortnightly] / [monthly] basis, commencing on [*date*]. If any party seeks for any contact records to be included in the bundle for any hearing, they must apply to the court for permission.
2. The parties shall by 4.00pm on [*date*] agree and file at court a schedule of missed contacts, and a statement summarising the quality of contact.

## Contact with a child in care

1. The local authority must make sure that [*name of child*] has contact with [*name*] as follows: [*insert*]

## Designated local authority

1. The local authority shall by 4.00pm on [*date*] serve a copy of this order and the court bundle on [*name of local authority*].
2. [*Name of local authority*] shall attend the hearing on [*date*] provided for above, at which the court will determine the issue of designation of local authority. In preparation for that hearing:
   1. The local authorities shall file at court and serve on the parties by 4.00pm on [*date*] [written submissions] / [a skeleton argument]; and
   2. An agreed [interim] / [final] care plan setting out the services to be provided to the child[ren].
3. The court finding that [*name of local authority*] is the designated local authority, [*name of other local authority*] are discharged as a party to these proceedings.

## Disclosure to assist parallel planning

1. In the event that the plan for the child[ren] has been approved by the local authority agency decision maker as one of adoption, permission is given to the local authority to:
   1. disclose any composite child permanence report/rule 14 report to any prospective adopters as part of the family finding process, redacting the names and addresses of the parents and child[ren] in the event of disclosure before the making of a placement order;
   2. send anonymous details and a photograph of the child[ren] to ‘Adoption Link’ for publication in ‘Be My Parent’;
   3. send anonymous details and a photograph of the child[ren] to the Local Consortium of Adoption Agencies for publication;
   4. send anonymous details and a photograph of the child[ren] to the National Adoption Register for publication.

## Disclosure of other proceedings

1. If any party seeks disclosure of proceedings in which there are parties other than the parties to this case, they shall apply on notice to all persons who may be affected not later than 4.00pm on [*date*].
2. If all parties to the other proceedings consent to disclosure of those proceedings into this matter, the parties in this case shall lodge a consent order forthwith, whereupon the hearing provided for below shall stand vacated.
3. The application for disclosure of case number [*case no*.] into these proceedings is listed for determination at the Family Court sitting at [*court name*] at [*time*] on [*date*] before [*name of judge*] allowing 1 hour.
4. The bundle in case number [*case no*.] is disclosed into these proceedings. The parties shall agree by 4.00pm on [*date*] the relevant documents from those proceedings to be included in the court bundle in this case.

## Disclosure of this order

1. Permission is given to the parties to disclose this order, redacted to remove any parts of the order not relevant for the purpose of such disclosure, to any third party from whom information/reports/evidence is directed.

## Disclosure to the police / CPS

1. The local authority may disclose to [*police force*] [and the CPS] [and to defence solicitors] for use in relation to the current criminal investigation or proceedings the following documents: [*insert*]

## Documents and bundles

1. No document other than a document specified in an order or filed in accordance with the Rules of any Practice Direction shall be filed without the court's permission.
2. Court bundles must be prepared and lodged at court in accordance with Practice Direction 27A.
3. Permission is [not] given for the court bundle to exceed 350 pages [limited to [*number*] pages].
4. The local authority must provide a witness bundle for any hearing at which evidence is to be called.

## Drug / alcohol testing

1. [*Name*] shall by 4.00pm on [*date*] file at court and serve on the parties a report detailing the results of [drug] [and] [alcohol] testing which shall cover:
   1. Use of amphetamine, methamphetamines, benzodiazepines, cannabinoids, cocaine (including crack cocaine), ketamine, methadone, opiates (including heroin), and tramadol in the preceding [3] / [6] months [segmented by month];
   2. FAEE, EtG, [LFT,] [Peth,] [CDT] testing for a period of 3 months; and
   3. Whether the results are consistent with any admitted usage.

The cost of such testing and report shall be paid by [*name*] / [the parties equally].

1. [*Name*] shall by 4.00pm on [*date*] file at court and send to the parties a report detailing the results of transdermal continuous alcohol testing (TACT or SCRAM testing) for a period of [3] / [6] months commencing on [*date*]. [*Name*] is responsible for the instruction of the expert undertaking such testing and report. The costs shall be paid by [*name*] / [the parties equally].
2. The court may draw a negative inference against [*name*] from failure to comply with the [drug] [and] [alcohol] testing directed above.

## Exclusion requirement – section 38A Children Act 1989

1. [*Name of excluded person*] must by [*time*] on [*date*] leave [*address*].
2. [*Name of excluded person*] must not enter [*address*].
3. [*Name of excluded person*] is excluded from [the area delineated in red on the map attached to this order] / [*insert clearly defined geographic exclusion*].
4. This exclusion requirement shall remain in force until [*time*] on [*date*].
5. This exclusion requirement shall remain in force for the duration of the interim care order.
6. A power of arrest is attached to this exclusion requirement. The power of arrest shall remain in force until [*time*] on [*date*].
7. The local authority must deliver this order and a statement of service to [*police force*] as soon as is practicable.
8. This exclusion requirement having been made [without notice to [*name of excluded person*]] [at a hearing at which [*name of excluded person*] has not attended], the court will consider whether the order should be varied or discharged at a hearing at the Family Court sitting at [*court name*] on [*date*] at [*time*] allowing [*number*] hours.
9. [*Name of excluded person*] has the right to apply to the court at any time to vary or discharge this exclusion requirement.

## Experts

1. The application by [*name*] for permission to instruct [*name of expert*] is adjourned pending compliance with Part 25C Family Procedure Rules 2010. Upon compliance the court will consider the application [at a hearing to be listed] / [on paper].
2. [*Name(s)/party/ies*] [is] / [are] given permission to instruct [*name of expert*], [*insert discipline*], as a single joint expert. The report of the expert shall be filed at court and served on the parties by 4.00pm on [*date*]. Directions for implementation of this expert instruction are contained in the schedule to this order. The cost of such report shall be paid by the parties equally.
3. Permission is given to [*name*] to instruct the following experts as single joint experts:
   1. [*Name of expert*], [*insert discipline*] whose report shall be filed at court and served on the parties by 4.00pm on [*date*].
   2. [*etc.*].

Directions for implementation of these expert instructions are contained in the schedule to this order. The cost of such report shall be paid by the parties equally.

1. Unless the experts are agreed there shall be an expert’s discussion to be arranged by the solicitor for the child[ren] which must occur not later than [*date not later than 15 business days after the reports have been filed and served*]:
   1. The draft agenda for the expert’s discussion shall be circulated by the child[ren]’s solicitor not less than 5 working days prior to the meeting, which shall be agreed by the parties and sent to the expert not less than 2 working days before the discussion.
   2. The discussion shall be chaired by [the child[ren]’s solicitor] / [*name*].
   3. [A minute] / [A transcript] of the discussion shall be filed at court and served on the parties by 4.00pm on [*date*]. [The costs of the transcript shall be paid by the parties equally.]
   4. The child[ren]’s solicitor shall file at court and serve on the parties a statement of agreement and disagreement not later than 4.00pm on [*date not later than 5 working days after the discussion*].
2. Any application for permission to call an expert to give oral evidence must be made not later than 1 working day before the [pre-IRH] / [pre-PTR] advocates meeting.
3. The following experts shall give their evidence concurrently: [*names*]
4. [*Name of expert*] shall give evidence by video link. [*Name*] must send the expert a witness bundle not later than 2 working days before the hearing.
5. The cost of the expert[s] report [, attendance at an expert’s discussion] [, and attending to give evidence] shall be paid by [by the parties equally] / [*name*].
6. Permission is given to disclose the reports of [*names of experts*] to any person or professional providing treatment, therapy or counselling to the parents or the child[ren].
7. The provisions of FPR 25.19(1) apply to [the child[ren]’s solicitor] / [*name of party instructing’s solicitor*].
8. In respect of the court’s sealed order and approved [written] / [transcript of] judgment (or in the absence of written or transcribed judgment any written note taken by the advocate), the provisions of FPR 25.19(2) apply. [The child[ren]’s solicitor] / [*Name of party instructing’s solicitor*] is directed to provide a copy of the sealed court order and approved [written] / [transcript of] judgment (or in the absence of written or transcribed judgment any written note taken by the advocate) to [*name of expert(s)*] within 10 working days of these being received.

**(insert into schedule to the order)   
DIRECTIONS IN RESPECT OF THE EXPERT INSTRUCTION**

1. The following directions shall apply to the instruction of [*name of expert*]:
   1. The lead for the instruction of the expert shall be [*name*].
   2. The letter of instruction to the expert [as approved by the court today] / [to be agreed by the parties by 4.00pm on [*date*] and filed at court] must be sent the expert by 4.00pm on [*date*].
   3. The issues in the proceedings to which the expert evidence relates are:
      1. [*insert*].
   4. The questions to be dealt with by the expert are [as set out in the draft letter of instruction] / [as follows: [*insert*]]
   5. Permission is [not] given for the expert to see and assess the child[ren].
   6. Permission is [not] given to call [*name*] to give oral evidence at the [final] / [finding of fact] hearing.

## Extension of proceedings

1. The timetable for the proceedings is extended until [*date*]. If a further extension is required before the next hearing the local authority must apply in good time, which may be by letter or email to the court for the attention of the allocated judge.

## Fact finding hearing

1. The local authority shall by 4.00pm on [*date*] file at court and serve on the parties a schedule of the findings they seek at the finding of fact hearing and any evidence not already served upon which they rely.
2. If any respondent intends to seek findings against another party, they shall by 4.00pm on [*date*] file at court and serve on the parties a schedule of findings sought and a statement (and those of their witnesses, if any) in support.
3. [*Names*] shall by 4.00pm on [*date*] file at court and serve on the parties their statement (and those of their witnesses, if any) in response and their replies to the schedule[s] of allegations.
4. The following experts shall give oral evidence [concurrently] [remotely] at the finding of fact hearing: [*insert*]
5. The parties shall by 4.00pm on [*date*] agree and file at court a witness template for the finding of fact hearing.
6. There shall be a pre-trial directions hearing on [*date*] as provided for above.
7. The local authority shall by 11.00am on the working day before the finding of fact hearing file at court and serve on the parties a case summary or written opening.

## Family Group Conference

1. The local authority shall by 4.00pm on [*date*] file at court and serve on the parties a statement setting out either the date and time of the Family Group Conference or explaining why it is not proposed to hold one in this matter.
2. The local authority has permission to disclose the court bundle to the Family Group Conference coordinator for the purpose of preparing the report for the Family Group Conference. Permission is given for that report to be disclosed to the family members attending the conference.
3. The local authority shall file at court and serve on the parties the minutes of the Family Group Conference not later than 14 days after the conference is held.

## Final evidence

1. The local authority shall by 4.00pm on [*date*] file at court and serve on the parties their final evidence and care plans.
2. The parents shall by 4.00pm on [*date*] file at court and serve on the parties their final statements in reply.
3. The guardian shall by 4.00pm on [*date*] file at court and serve on the parties a final analysis.

## Final hearing

1. The following directions apply to the final hearing provided for above:
   1. The witnesses shall be:
      1. [*insert*]
   2. The local authority shall file at court and serve on the parties by 11.00am on the working day before the hearing their written opening and the final witness template which must include judicial reading and judgment time.

## Final orders

1. [*Name(s) of child(ren)*] [is] / [are] placed in the care of the local authority.
2. The local authority is authorised to place [*name(s) of child(ren)*] for adoption. The consent of [*names*] to the making of a placement order is dispensed with on the ground that the welfare of the child[ren] requires that their consent be dispensed with.
3. [*Names*] are directed to keep the court and the local authority informed of their addresses and contact details. If they do not do so, service may be effected by post to their last known addresses. Such service may be deemed to be sufficient notice of any subsequent adoption proceedings and hearings within them.
4. [*Name(s) of child(ren)*] [is] / [are] put under the supervision of the local authority until [*date*].
5. The child[ren] shall live with [*name(s)*]
6. [*Name(s)*] must make sure that the child[ren] spend[s] time or otherwise [has] / [have] contact with [*name*] as follows: [*insert*].
7. [*Name(s)*] [is] / [are] appointed special guardian[s] of [*name(s) of child(ren)*].
8. The [local authority having withdrawn their application, the] court makes no order.
9. No order for costs save public funding assessment of the costs of the legally aided parties.

## Independent Reviewing Officer

1. The local authority shall ensure that the Independent Reviewing Officer is promptly given a copy of all orders and care plans for the child[ren].

## Interim care order

1. In the interim [*name(s) of child(ren)*] are placed in the care of the local authority for the duration of these proceedings or until further order.

## Interim supervision order

1. In the interim [*name(s) of child(ren)*] are put under the supervision of the local authority for the duration of these proceedings or until further order.

## Interpreters / translation

1. The court must arrange for [*number*] interpreter[s] fluent in [*language and dialect*] to attend all future hearings. The interpreter must attend 1 hour prior to the listed time.
2. The court authorises the use of interpreters by the solicitors for [*name*] to enable them to take instructions. The cost of the interpreters must be paid by [*name*].
3. The parties shall by 4.00pm on [*date*] file at court a list of the documents proposed to be translated for [*name*] into [*language*].
4. [*Name*] shall arrange for translation into [*language and dialect*] of the following documents:
   1. [*insert*]
5. The translated documents shall be served on [*name*] by 4.00pm on [*date*] and the cost of translation shall be paid by [*name*] / [the parties equally].

## Intervenors

1. The local authority shall by 4.00pm on [*date*] write to [*name*] to inform them that they have been identified as a potential intervenor in this matter. The letter shall set out clearly why they have been identified as a potential intervenor, and the details of the hearing at which the court will decide whether to invite [*name*] to be joined as an intervenor to the proceedings.
2. The local authority shall by 4.00pm on [*date*] notify [*police force*] and the Crown Prosecution Service that consideration will be given to joining [*name*] as an intervenor to the proceedings at a hearing at the Family Court sitting at [*court name*] before [*name of judge*] at [*time*] on [*date*], and that they may either a) make written representations about disclosure of evidence to the proposed intervenor not less than 3 working days before the hearing; or b) attend that hearing to make such representations.
3. [*Name*] is joined as an intervenor to the proceedings for the following purposes: [*insert*]
4. The local authority shall by 4.00pm on [*date*] serve [*name*] with a copy of the bundle.
5. The bundle served on [*name*] shall [exclude the following documents:] / [be redacted to remove:]
   1. [*insert*]

## Involving the child[ren]

1. The guardian shall consider whether a meeting between [*name(s) of child(ren)*] and the judge should occur, and shall file at court and serve on the parties a report with their recommendation by 4.00pm on [*date*].
2. At the next hearing the court will consider whether there should be a meeting between [*name(s) of child(ren)*] and the judge.
3. A meeting between [*name(s) of child(ren)*] and the judge will occur at the Family Court sitting at [*court name*] at [*time*] on [*date*]. A note of the meeting shall be served on the parties by the guardian not more than 2 working days following the meeting.
4. [*Name*] must explain the outcome of this hearing to the child[ren].
5. [*Name*] must give the child[ren] a copy of the [letter from the judge] / [summary of reasons for this order] when explaining the outcome of this hearing to the child[ren].

## Issues resolution hearing / early final hearing

1. The following directions apply in preparation for the issues resolution hearing / early final hearing provided for above:
   1. The respondents shall not later than 3 working days prior to the hearing file at court and serve on the parties a position statement.
   2. The parties shall agree a witness template for the final hearing (if one is required) not later than 2 working days prior to the hearing.
   3. The local authority shall by 11.00am on the working day before the hearing file at court and serve on the parties a case summary, draft order, and the completed witness template for the final hearing.
   4. The court may treat the hearing as an early final hearing and may take evidence and make final orders.
   5. The guardian must attend this hearing unless they have a prior professional commitment and have been excused when this hearing was listed.
   6. [The guardian is excused attendance at this hearing provided they have given full instructions to their advocate.]

## Joinder of parties

1. [*Name*] is joined as a party to the proceedings.
2. [*Name*] is joined as a party to the proceedings limited for the following purposes: [*insert*].
3. The local authority shall by 4.00pm on [*date*] serve [*name*] with a copy of the bundle.
4. The bundle served on [*name*] shall [exclude the following documents:] / [be redacted to remove:]
   1. [*insert*]

## Next hearing(s)

1. There shall be a [FCMH] / [IRH/EFH] / [ground rules hearing] / [pre-trial directions hearing] / [finding of fact hearing] / [final hearing] at the Family Court sitting at [*court name*] at [*time*] on [*date*] before *[name of judge*] allowing [*hours/days*]. The parties and advocates shall attend 1 hour prior to the listed time for pre-hearing discussions.
2. There shall be the following further hearings:
   1. A [FCMH] / [IRH/EFH] / [ground rules hearing] / [pre-trial directions hearing] / [finding of fact hearing] / [final hearing] at the Family Court sitting at [*court name*] at [*time*] on [*date*] before [*name of judge*] allowing [*hours/days*].
   2. [*Etc*.]
   3. The parties and advocates shall attend each hearing 1 hour prior to the listed time for pre-hearing discussions.
3. The following hearings remain listed:
   1. A [FCMH] / [IRH/EFH] / [ground rules hearing] / [pre-trial directions hearing] / [finding of fact hearing] / [final hearing] at the Family Court sitting at [*court name*] at [*time*] on [*date*] before [*name of judge*] allowing [*hours/days*].
   2. [*Etc*.]
   3. The parties and advocates shall attend each hearing 1 hour prior to the listed time for pre-hearing discussions.
4. If the parents fail to attend the [IRH/EFH] [or] [final] hearing without good reason the court may make final orders including care [and placement] orders in their absence.
5. The parents must attend all hearings and their reasonable travel expenses to and from court shall be a disbursement on their public funding certificates.
6. The hearing on [*date*] shall be attended by advocates only, and the attendance of the parents is excused provided they have given their advocates full instructions.
7. The attendance of the guardian from the hearing on [*date*] is excused provided they have given their advocate full instructions.
8. [*Insert directions for advocates meetings*].

## Outstanding local authority disclosure

1. The local authority shall by 4.00pm on [*date*] file at court and serve on the parties the following:
   1. [*insert*]

## Parenting assessment

1. The local authority shall file at court and serve on the parties:
   1. By 4.00pm on [*date*] a parenting assessment plan; and
   2. By 4.00pm on [*date*] a [PAMS] parenting assessment of [*name*] [as joint and sole carers].

## Parents’ response

1. [*Name*] shall by 4.00pm on [*date*] file at court and serve on the parties their Parent’s Response.
2. The time for [*name*] to file at court and serve on the parties their Parent’s Response is extended to 4.00pm on [*date*].
3. The number of alternative carers the parents are permitted to put forward is limited to a maximum of 3 per parent or 4 per child.
4. If [*name*] fails to comply with paragraph [*para number of parent’s response direction*] of this order they shall be deemed to accept the threshold allegations made by the local authority and to not be putting forward any alternative carers unless this paragraph is varied upon application.

## Parental responsibility

1. [*Name*] is granted parental responsibly for [*name(s) of child(ren)*].

## Paternity testing

1. It is directed pursuant to s.20(1) of the Family Law Reform Act 1969:
   1. that DNA tests be used to ascertain whether such tests show that [*putative father’s name*] is or is not excluded from being the father of [*name of child*] born on [*date*]; and
   2. that for that purpose samples be taken on or before [*date*] from the following persons: [*putative father’s name*], [*mother’s name*] (mother of [*name of child*]) and [*name of child*]; and
   3. that the person appearing to the court to have care and control of [*name of child*], who is under the age of 16, is [the local authority] / [*name*];
   4. that such tests be carried out by [*accredited company name*];
   5. the results of such tests shall be filed at court and served on the parties by 4.00pm on [*date*]; and
   6. the costs of such testing shall be paid by [*name*] / [the parties equally].

## Placement order application directions

1. The local authority shall ensure that the ADM decision regarding any placement application is made by [*date*].
2. The local authority shall issue any application for a placement order not later than 4.00pm on [*date*].
3. The local authority shall serve the child permanence report and the record of the ADM decision on the parties, but those documents shall not be included in the court bundle unless requested by any party.
4. Permission is given to serve the placement application on the solicitors for the parents if they remain on the record as acting for the parents in these care proceedings.
5. The following directions apply upon issue of the application for a placement order:
   1. the child[ren] shall be made party to the application;
   2. the existing children’s guardian in the care proceedings shall be appointed as the children’s guardian;
   3. the evidence in the care proceedings shall be admitted in the placement proceedings and vice versa;
   4. the parents must include their response to the placement application and the request to dispense with their consent within their final evidence in the care proceedings;
   5. the children’s guardian’s final case analysis in the care proceedings must include a case analysis in respect of the placement application;
   6. the placement order application must be listed and heard at the same time as the application for a care order;
   7. the child[ren] shall not attend the final hearing of the application for placement order[s].

## Prohibition on cross examination in person and consideration of appointing a qualified legal representative

**(insert as a recital)**

1. The court has determined that an automatic prohibition on cross examination applies under the Matrimonial and Family Proceedings Act 1984 (MFPA) because:

**(Select relevant sub paragraph(s))**

* 1. **Section 31R:** The vulnerable party is the victim of a specified domestic abuse offence perpetrated by the other party;
  2. **Section 31S:** the vulnerable party is protected by an on-notice protective injunction against the other party;
  3. **Section 31T:** the vulnerable party adduces specified evidence that they are a victim of domestic abuse perpetrated by the other party.

**(or)**

**Under Section 31U of the MFPA**, it appears to the court that the quality of the party’s evidence on cross-examination is likely to be diminished if the cross-examination is conducted in person, or if the conduct of cross-examination in person would cause significant distress to a party, and it would not be contrary to the interests of justice to make the direction.

**(within the body of the order)**

1. [*Name*] is prohibited from being the person to cross examine [*names*].
2. [*Name*] must notify the court by 4.00pm on [*date*] (a) whether, in their view, there are suitable alternative means of cross-examination and (b) should the court determine that there are no suitable alternative means of cross-examination, whether they intend to appoint their own qualified legal representative.
3. The file is to be referred to [*name of judge*] on [*date following deadline for filing the response set out above*] to consider whether it is necessary for the court to appoint a qualified legal representative to conduct cross examination on behalf of either party.
4. If [*name*] does intend to appoint their own qualified legal representative for the purpose of cross-examination, they shall provide the name and contact details of that person no later than [*date*].

## Residential assessment

1. Permission is given to [*name*] to disclose the bundle to any potential provider of a residential assessment for the purpose of enquiries being made about the suitability and availability of such an assessment for [*name*] and the child[ren].
2. [*Name*] shall by 4.00pm on [*date*] file at court and serve on the parties all viability assessments received by them (whether negative or positive).
3. Any application for residential assessment shall be issued by [*name*] not later than 4.00pm on [*date*] whereupon [it shall be listed for determination] / [it shall be determined at a hearing at the Family Court sitting at [*court name*] on [*date*] at [*time*] before [*name of judge*] allowing [*hours*]] [on submissions]. [The parties and advocates shall attend the hearing 1 hour before the listed time for pre-hearing discussions.]
4. Pursuant to s.38(6) Children Act 1989 there shall be a residential assessment of [*name*] and the child[ren] paid for by the local authority, and the following shall be filed at court and served on the parties by [*name*]:
   1. a mid-way report by 4.00pm on [*date*]; and
   2. a final report by 4.00pm on [*date*].

## School / nursery reports

1. The local authority shall by 4.00pm on [*date*] file at court and serve on the parties a report from each school or nursery the child[ren] have attended in the previous 2 years detailing:
   1. the child[ren]’s attendance and attainment;
   2. parental engagement and co-operation;
   3. any behavioural issues noted or observed or welfare concerns regarding the child[ren] (exhibiting any contemporaneous records);
   4. any other matters relevant to the child[ren]’s welfare.

## Separate orders

1. Separate orders have been made today for:
   1. Disclosure of the address of [*name*] by 4.00pm on [*date*].
   2. Disclosure of the parents’ medical records by 4.00pm on [*date*].
   3. Disclosure of the child[ren]’s medical records by 4.00pm on [*date*].
   4. A report to be provided by [*name of agency*] by 4.00pm on [*date*].
   5. Police disclosure by 4.00pm on [*date*].

## Settlement conference

1. The parties having read the settlement conference information and filing their signed consents to a settlement conference, the matter is listed for a settlement conference at The Family Court sitting at [*court name*] at [*time*] on [*date*] before [*name of judge*] allowing [*number*] hours, the parties and advocates to attend at [*time*].
2. Any person being assessed as special guardian should be invited to attend the settlement conference.
3. The local authority should ensure that an official able to authorise any change to the care plan attends the settlement conference.
4. No party shall file any position statements prior to the settlement conference.
5. The parties having read the settlement conference information but not consenting to a settlement conference, a settlement conference is not directed. In the event that the parties do all consent they must by 4.00pm on [*date*] send their signed consent form to the court together with a request for a settlement conference to be listed on a date prior to the final hearing date.

## Sibling assessment

1. The local authority shall by 4.00pm on [*date*] file at court and send to the parties a sibling assessment which shall recommend whether the children should be placed together or separately, and if not placed together the recommended combinations and contact arrangements.

## Solicitor ceasing to act for a party

**(declaration and order as follows)**

**THE COURT DECLARES THAT:**

1. [*Name of firm*] have ceased to be the solicitors for [*name of party*].

**(within the body of the order)**

1. [*Name*] must forthwith send to the court an address for service.

## Special guardianship

1. Any application by [*name*] for a special guardianship order shall be issued by 4.00pm on [*date*], whereupon [it will be listed for a permission hearing] / [the issue of permission to apply will be determined at the hearing on [*date*] provided for above].
2. Permission is given to [*name*] to apply for a special guardianship order for [*name(s) of child(ren)*]. The application shall be heard in these proceedings, and [*name*] is joined as a party to the proceedings.
3. The local authority shall by 4.00pm on [*date*] file at court, serve on the parties, and send to the person assessed a special guardianship report.
4. [*Name of other local authority*] shall by 4.00pm on [*date*] prepare a special guardianship report in respect of [*name*] and file that report at court, serve it on the parties, and send a copy to the person assessed. The local authority may disclose the court bundle to [*name of other local authority*] for the purpose of preparing the report.
5. The local authority shall liaise with the persons assessed to ascertain if there is any information that the persons assessed seek to be redacted from the special guardianship report. If redactions are sought, the local authority must apply on notice to the other parties in sufficient time for the application to be determined before the date the report is due to be filed and served.

## Special measures

1. Any party seeking specific measures to enable them to understand the proceedings or participate effectively in the proceedings shall lodge an application as soon practicable which sets out clearly why such measures are sought.
2. The court has concluded that [*name*] is [vulnerable] / [a protected party] and that their participation in the proceedings is likely to be affected because:
   1. it is alleged that [*name*] is the victim of domestic abuse;
   2. the court considers that the quality of evidence given by [*name*] is likely to be assisted by the services of an intermediary who can facilitate and enable communication and understanding of questions to and answers by a witness or party;
   3. [*Insert*]
3. [*Name*] must by 4.00pm on [*date*] ask [*name of intermediary provider*] to provide a quotation for the supply of services in the form of a preliminary assessment to include necessary preparative work and, if required, intermediary services and necessary preparative work for the ground rules hearing and final hearing and the following directions apply:
   1. the quotation must be sent to HMCTS for the attention of the court manager by [*date*];
   2. HMCTS must confirm acceptance of the quotation and payment of intermediary services within 7 days after receipt of the quotation;
   3. the case shall be listed for [a FCMH] / [a ground rules hearing] / [an IRH] at [*time*] on [*date*] allowing [*time estimate*];
   4. [*Name of intermediary provider*] must file a preliminary assessment [4 weeks after confirmation of payment of services by HMCTS] / [ by [*date*]] and shall attend, if required, the subsequent hearings;
   5. any default in compliance with these directions shall be brought to the attention of the case management judge on 48 hours’ notice to all parties.
4. The following measures are to apply to all hearings in this matter unless otherwise ordered. They must also be set out clearly in a separate schedule headed ‘Measures which apply in case number [*case no*.]’ which is to be placed prominently on the case file and provided by the court office to security and the court usher for each hearing. Measures are to be taken to:
   1. provide separate entrances to, and waiting areas in, the court building for [*name(s)*];
   2. prevent [*name*] from seeing [*name*] whilst within the court building or its precincts;
   3. make sure that [*name*] is to arrive at court no later than 30 minutes before the hearing and is to report to [court security] / [the usher] immediately on arrival;
   4. security and the court staff must liaise to make sure that the parties do not meet except when they are in the hearing room;
   5. neither party is to approach the other directly;
   6. allow [*name*] to participate in hearings and give evidence:
      1. by live link;
      2. by a recording made [and transcribed at the expense of [the parties equally] / [*name(s)*]] in advance of the hearing;
      3. with the aid of a [signer] / [*insert*];
      4. by use of evidence already given in other proceedings, namely [*specify*];
      5. [*insert*].
   7. provide for [*name*] to:
      1. use a [*identify aid*] to help communicate;
      2. participate in proceedings with the assistance of an intermediary;
      3. be questioned in court with the assistance of an intermediary;
   8. provide for all hearings to take place in a courtroom;
   9. ensure in relation to any questioning of [*name*] that:
      1. questions or topics are agreed prior to the hearing;
      2. any questions that [can be] / [have been] put by one advocate may not be repeated by another without the court’s permission;
      3. questions may be put by [one advocate] / [the judge] only;
      4. [example] questions [from each topic to be put] are provided in writing in advance of the hearing so that [the intermediary can consider whether they will be understood by the witness] / [they can be put by the judge];
      5. [*insert*].
5. The special measures directed on [*date*] are discharged.
6. The special measures directed on [*date*] are varied as follows:
   1. [*insert*]

## Termination of qualified legal representative

1. The appointment of [*name*] as qualified legal representative is terminated on [*date*] at [*time*].

## Transcript

1. [The local authority] [*Name*] shall by 4.00pm on [*date*] apply for a transcript of the [fact-finding] judgment given [today] / [on [*date*]] [together with the evidence given by [*name*] on [*date*]] [and such transcript must be expedited].
2. A transcript of the judgment is necessary:
   1. [so that the expert can carry out a[n] [risk] assessment based on the findings made;]
   2. [to inform the welfare hearing;]
   3. [so that [*name*] may [be advised whether to] apply for permission to appeal the order made [today]/ [on [*date*].]
3. The cost of the transcript must be [paid by the local authority] / [shared by all parties equally] / [met as a public expense].

## Variation of orders

1. Any application to vary this or any other order is to be made to the allocated judge on notice to all parties.
2. The application may be by email to the court for the attention of the allocated judge provided that the parties agree, a consent order is lodged with the application, and the email application clearly states the effect of the proposed variation on the timetable for the proceedings.