**In the Family Court Case No: [*Case number*]**

**sitting at [*Court name*]**

**[The Matrimonial Causes Act 1973] /**

**[The Civil Partnership Act 2004] /**

**[The Child Support Act 1991] /**

**[Schedule 1 to the Children Act 1989] /**

**[The Inheritance (Provision for Family and Dependants) Act 1975] /**

**[The Matrimonial and Family Proceedings Act 1984 and Schedule 7 to the Civil Partnership Act 2004] /**

**[The Trusts of Land and Appointment of Trustees Act 1996] /**

**[The Married Women’s Property Act 1882 and ss 67, 68 and 74 of the Civil Partnership Act 2004]**

**(Delete as appropriate)**

**The** **[Marriage] /** **[Civil Partnership] /** **[Relationship] /** **[Family] of [*applicant name*] and [*respondent name*]**

After hearing [*name the advocate(s) who appeared*]

After consideration of the documents lodged by the parties

**(In the case of an order made without notice)** After reading the statements and hearing the witnesses specified in para [*para number*] of the Recitals below

**ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN [OPEN COURT] / [PRIVATE] AT A [FIRST APPOINTMENT] / [FINANCIAL DISPUTE RESOLUTION APPOINTMENT] / [CASE MANAGEMENT HEARING]**

**(Delete as appropriate)**

**WARNING: IF YOU DO NOT COMPLY WITH THIS ORDER, YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND YOU MAY BE SENT TO PRISON, BE FINED, OR HAVE YOUR ASSETS SEIZED.**

**The parties**

1. The applicant is [*applicant* *name*]

The [first] respondent is [*respondent name*]

[The second respondent is [*respondent name*]]

[The third[*etc*] respondent is [*respondent name*]]

[The intervener is [*intervener name*]]

**(Specify if any party acts by a litigation friend)**

**Definitions
(for example)**

1. Child[ren] of the family

The [“child of the family” is] / [“children of the family” are]:

* 1. [*child full name*] born on [*date*];
	2. [*child full name*] born on [*date*];
	3. [*etc*].
1. Family home

The “family home” means [*family* *home address*] registered at the Land Registry with title number [*family* *home title number*].

1. Other properties
	1. “[*Other property name*]” means [*other property address*] registered at the Land Registry with title number [*title number*];
	2. [*etc*].
2. Mortgages
	1. "The [*insert*] mortgage" means the mortgage secured upon [*property name*] in favour of [*name of mortgagee*];
	2. [*etc*].
3. Life insurance policies
	1. “The [*insert*] policy" means the policy or policies issued by [*company*] and numbered [*policy number*];
	2. [*etc*].
4. “The applicant’s bank accounts” means the following:
	1. the account in the applicant’s sole name with [*bank/building society name*], with account number [*number*] and sort code [*number*];
	2. the account in the applicant’s sole name with [*bank/building society name*], with account number [*number*] and sort code [*number*];
	3. [*etc*].
5. “The respondent’s bank accounts” means the following:
	1. the account in the respondent’s sole name with [*bank/building society name*], with account number [*number*] and sort code [*number*];
	2. the account in the respondent’s sole name with [*bank/building society name*], with account number [*number*] and sort code [*number*];
	3. [*etc*].
6. “The joint bank accounts” means the following:
	1. the account in the parties' joint names with [*bank/building society name*], with account number [*number*] and sort code [*number*];
	2. the account in the parties' joint names with [*bank/building society name*], with account number [*number*] and sort code [*number*];
	3. [*etc*].
7. “CMS” means the Child Maintenance Service or such other state appointed agency operating within the United Kingdom as may have preceded it or as may replace it.
8. “CMS calculation” means the assessment or calculation or periodic demand by the CMS.
9. Pensions
	1. "[Pension name]" means the pension arrangement/plan held by [the applicant] / [the respondent] with [*scheme/plan provider name*] with reference number [*number*];
	2. "[Pension name]" means the pension arrangement/plan held by [the applicant] / [the respondent] with [*scheme/plan provider name*] with reference number [*number*];
	3. [*etc*].
10. “PPF” means the Pension Protection Fund.
11. “PRPA” means the person responsible for the pension arrangement.

**Recitals**

## Recital for without notice hearings

1. **(In the case of an order made without notice)**
	1. This order was made at a hearing without notice to the respondent. The reason why the order was made without notice to the respondent was [*set* *out*].
	2. The judge read the following affidavits/witness statements [*set out*] and heard oral evidence from [*name*].

## Recital for short informal notice hearings

1. **(In the case of an order made following the giving of short informal notice)**

This order was made at a hearing without full notice having been given to the respondent. The reason why the order was made without full notice having been given to the respondent was [*set out*].

## Recital as to a MIAM

1. [It is recorded that the [applicant has] / [respondent has] / [parties have] attended a MIAM and [has] / [have] sent to the court a completed Form FM1 dated [*date*]] / [It is recorded that [the applicant has not] / [the respondent has not] / [neither of the parties have] attended a MIAM; and it is further recorded that it appears to the court that [a MIAM would not be appropriate within these proceedings] / [neither party has provided any reason that in the view of the court would render mediation unlikely to be effective].]

## Recitals as to costs incurred / expected to be incurred

1. It is recorded that the applicant [has filed with the court and served on the respondent a costs estimate in Form H stating that the applicant (a) has incurred costs of [*set out*] up to today’s hearing; and (b) expects to incur further costs of [*set out*] after today’s hearing up to and including the [financial dispute resolution appointment] / [final hearing] if settlement is not reached] / [has failed to file with the court and serve on the respondent a costs estimate in Form H and shall do so in accordance with paragraph [*para number*] below].
2. It is recorded that the respondent [has filed with the court and served on the applicant a costs estimate in Form H stating that the respondent (a) has incurred costs of [*set out*] up to today’s hearing; and (b) expects to incur further costs of [*set out*] after today’s hearing up to and including the [financial dispute resolution appointment] / [final hearing] if settlement is not reached] / [has failed to file with the court and serve on the applicant a costs estimate in Form H and shall do so in accordance with paragraph [*para number*] below].

**Agreements**

1. [*Insert* **(Record any agreements reached between the parties – e.g. ‘The parties have agreed the value of the family home at [*matrimonial home name*] at £[*amount*] for financial dispute resolution appointment purposes.’)**]

**Undertakings to the court**

1. [*Insert*]

## Undertaking for without notice hearings

1. By [*time and date*] the applicant shall [use [his] / [her] best endeavours personally to serve upon the respondent] / [serve upon the respondent, by [*insert method of service* **(e.g. ‘posting to the respondent’s usual address’)**]], together with this order:
	1. a copy of the application;
	2. copies of the witness statement[s] and exhibits containing the evidence relied upon by the applicant, and any other documents provided to the court on the making of the application; and
	3. a note [prepared by [his] / [her] solicitor] recording the substance of the dialogue with the court at the hearing and the reasons given by the court for making the order, which note shall include (but not be limited to) any allegation of fact made orally to the court where such allegation is not contained in the witness statement[s] or draft witness statement[s] read by the judge.

## Undertaking to pay mortgage and outgoings on property

1. The [applicant] / [respondent] shall make the following payments pending the [financial dispute resolution appointment] / [final determination of these proceedings]: [*insert* **(e.g. ‘all interest and capital repayments due in respect of the mortgage secured against the family home; and all [reasonable] sums due in respect of service charges, council tax, utilities (including but not limited to gas, electricity, water and telephone accounts), and buildings and contents insurance premiums in respect of the family home’)**].

## Undertaking where a legal services order is made

1. The [applicant] / [respondent] shall repay to the [respondent] / [applicant] such part of the amounts paid under the legal services order below if, and to the extent that, the court is of the opinion, when considering costs at the conclusion of the proceedings, that [he] / [she] ought to do so.

## Undertaking not to disclose information

1. The [applicant] / [respondent] / [applicant and respondent] shall not:
	1. reveal to any third party unconnected with these proceedings (excluding any person to whom it is necessary to disclose [relevant parts of] this order for the purposes of professional advice): (i) the terms of this order; and (ii) any of the financial particulars disclosed in these proceedings;
	2. cause or facilitate publication in any form of the terms or particulars;
	3. take any steps as a result of which the terms or particulars are likely to become public knowledge or are reasonably foreseeable as being likely to become public knowledge; [and
	4. fail to take any steps which either party may reasonably be expected to take to prevent the said terms or particulars from being public knowledge in circumstances in which they would otherwise be likely to do so].

## Undertaking [not to apply for] / [delay application for] [decree absolute] / [final [divorce] / [dissolution] order]

1. The [applicant] / [respondent] / [applicant and respondent] shall not apply for [decree absolute] / [final [divorce] / [dissolution] order] [without giving [*number*] days’ notice to the [applicant] / [respondent]] / [until the expiry of [*time period*]] / [28 days after the making of a financial order] / [*insert* *such other event*]]].

## Undertaking to cooperate in the removal of Land Registry notices and/or restrictions

1. The [applicant] / [respondent] [shall co-operate with the [respondent] / [applicant]] / [shall take all steps necessary] to remove the [*insert* (**e.g. home rights notice, unilateral notice, restriction)**] entered against the title to [*property*] to facilitate the [sale of] / [transfer of] the property.

**You may be held to be in contempt of court and imprisoned or fined, or your assets may be seized, if you break the promises that you have given to the court.**

**If you fail to pay any sum of money which you have promised the court that you will pay, a person entitled to enforce the undertaking may apply to the court for an order. You may be sent to prison if it is proved that you —**

* 1. **have, or have had since the date of your undertaking, the means to pay the sum; and**
	2. **have refused or neglected, or are refusing or neglecting, to pay that sum.**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court.

[*applicant name*]

[*respondent name*]

**Orders**

**IT IS ORDERED (BY CONSENT) THAT:**

## Maintenance Pending Suit

1. The [applicant] / [respondent] shall pay to the [respondent] / [applicant] maintenance pending suit until the date of the [decree absolute] / [final [divorce] / [dissolution] order] and afterwards interim periodical payments at the rate of £[*amount*] per annum, payable [weekly] / [monthly] [in advance] / [in arrears] by standing order from [*date* **(e.g. including a date earlier than the date of the order if backdating)**] until further order. [The [applicant] / [respondent] shall be given credit for the payment(s) of £[*amount*] made on [*date(s)*].]

## Legal Services Order

* 1. This is a legal services order made pursuant to [s 22ZA of the Matrimonial Causes Act 1973] / [para 38A of Schedule 5 to the Civil Partnership Act 2004].
	2. The court was satisfied that without the amount specified below, the [applicant] / [respondent] would not reasonably be able to obtain appropriate legal services for the purposes of the proceedings.
	3. The [respondent] / [applicant] shall pay the amount of £[*amount*] [by [*time and date*]] / [per calendar month commencing on [*time and date*] until [*time and date*]] to [*name*], the legal representatives of the [applicant] / [respondent].

## Order to attend a MIAM and send form FM1 to the court

1. The [applicant] / [respondent] shall attend a Mediation Information and Assessment Meeting and shall file a completed Form FM1 by [*time and date*].

**[Form E] / [Form E1]**

* 1. The [applicant] / [respondent] shall send to the court and serve on the [respondent] / [applicant] a complete signed copy of [his] / [her] [Form E] / [Form E1] together with all relevant attachments and accompanying documents by [*time and date*].
	2. If the [applicant] / [respondent] has not been personally served with this order by [*date*], and the [applicant] / [respondent] has thus not completed the steps by [*time and date*], then [he] / [she] shall send to the court and serve on the [respondent] / [applicant] a complete signed copy of [his] / [her] [Form E] / [Form E1] together with all relevant attachments and accompanying documents by no later than 4pm on the date [*number*] days after the date on which [he] / [she] is personally served with this order. If that date falls on a date on which the courts are closed, then [he] / [she] shall send to the court and serve on the [respondent] / [applicant] [his] / [her] [Form E] / [Form E1] by 4pm on the next day that the courts are open.

## First Appointment documents

1. The [applicant] / [respondent] shall send, on or before [*time and date*], to the court and serve on the [respondent] / [applicant]:
	1. a market appraisal of the value of the family home (which should be jointly obtained if possible);
	2. three sets of property particulars showing what their case is likely to be on housing need for themselves and the other party;
	3. brief indicative material of their own borrowing capacity (which should be jointly obtained if possible);
	4. a questionnaire (which should not exceed four pages of A4 in length, using not smaller than a 12-point font with 1.5 spacing);
	5. a composite case summary using Template ES1; and
	6. a composite schedule of assets, debts and income using Template ES2.

## Replies to questionnaire and/or schedule of deficiencies and/or supplemental questionnaire

1. The [applicant] / [respondent] shall send to the court and serve on the [respondent] / [applicant] [his] / [her] replies to the [applicant] / [respondent]’s [questionnaire and request for further documents] / [schedule of deficiencies] / [supplemental questionnaire] [as amended by the judge] by [*time and date*].

## Schedule of deficiencies and supplemental questionnaire

1. The [applicant] / [respondent] shall send to the court and serve on the [respondent] / [applicant] any schedule of deficiencies in respect of the replies to the questionnaire and/or any supplemental questionnaire and request for further documents (with it being clearly identified whether it is said that a particular question/request is a deficiency or a supplemental question) by [*time and date*].

## Statements

* 1. The [applicant] / [respondent] shall send to the court and serve on the [respondent] / [applicant] a concise narrative statement [dealing with all of the relevant factors listed in [*insert statute(s) or relevant section of statute(s)*]] / [dealing with [*insert*]] / [limited to dealing with [*insert*]] by [*time and date*].
	2. The [respondent] / [applicant] [shall] / [has permission, if so advised, to] send to the court and serve on the [applicant] / [respondent] a concise narrative statement in answer to that sent by the [applicant] / [respondent] [dealing with] / [limited to] the same issues by [*time and date*].

## Statements dealing with conduct

* 1. In the event that the [applicant] / [respondent] [seeks] / [continues to seek] to run a conduct case, [he] / [she] shall send to the court and serve on the [respondent] / [applicant] a concise statement [(limited to [*number*] pages)] by [*time and date*], restricted to addressing the following issues:
		1. what conduct exactly [he] / [she] is seeking to rely upon;
		2. the basis for [his] / [her] conduct allegations; and
		3. what effect this alleged conduct should have on the current [financial remedy] application.
	2. The [respondent] / [applicant] has permission to send to the court and serve on the [applicant] / [respondent] a statement in answer, if so advised, by [*time and date*].

## Permission regarding other evidence

1. The [applicant] / [respondent] has permission to send to the court and serve on the [respondent] / [applicant] [evidence] / [a letter] / [a statement] from [*name*] if so advised [dealing with [*issue*]] / [limited to dealing with [*issue*]] by [*time and date*].

## Evidence regarding mortgage raising capacity and housing needs

* 1. Each party shall serve on the other party evidence of their mortgage raising capacity [by [*time and date*]] / [by [*time*] on the date [*number*] weeks prior to the [financial dispute resolution appointment] / [final hearing]], [such evidence to be in the form of a certificate from a mortgage broker, indicating (i) the information the calculation is based on; (ii) the maximum mortgage that the broker believes [he] / [she] will be able to secure; (iii) the term of that mortgage; and (iv) the repayments that would be required on that mortgage on a repayment basis and on an interest only basis].
	2. Each party shall have permission to serve on the other party such evidence upon which they seek to rely in relation to the other’s mortgage capacity within [*number*] days of receipt of the other’s evidence as to their own mortgage capacity.
	3. Each party shall serve on the other party by [*time and date*] / [[*time*] on the date [*number*] weeks prior to the [financial dispute resolution appointment] / [final hearing]] copy particulars of properties [for sale] [and] / [or] [for rent] they consider to be suitable to meet [their own] [and] / [or] [the child[ren] of the family’s] housing needs, and the housing needs of [the other] [and] / [or] [the child[ren] of the family], (limited to [three] / [five] / [*number*] of each), [together with details as to the basis upon which the particulars have been selected, namely location (area, schools, public transport, amenities, etc), size (bedrooms, etc), and amenities (garden, garage, etc)].

## Updating disclosure (where previous disclosure has been by Form E)

1. Each party shall serve on the other party their updating disclosure by [*time and date*] / [[*time*] on the date [*number*] weeks prior to the [financial dispute resolution appointment] / [final hearing]]. Updating disclosure means the disclosure of the following documents:
	1. copies of documents evidencing the up to date balance outstanding on any mortgage referred to in paragraph 2.1 of Form E, including in respect of any mortgage liabilities which have come into existence since Form E;
	2. copies of all bank and building society statements relating to accounts in the category required by paragraph 2.3 of Form E, covering the period from the last statement which has been disclosed to the date of updating disclosure, or covering the period from the opening of the account to the date of updating disclosure for any such accounts which have come into existence since Form E;
	3. a copy of the most up to date statement or dividend counterfoil relating to investments in the category required by paragraph 2.4 of Form E, including in respect of any investments which have come into existence since Form E;
	4. a copy of an up to date surrender value for policies in the category required by paragraph 2.5 of Form E, including in respect of any policies which have come into existence since Form E;
	5. copies of documents evidencing the up to date amount due on liabilities in the category required by paragraph 2.9 or 2.10 of Form E, including in respect of any liabilities which have come into existence since Form E;
	6. copies of any business accounts which have become available since Form E for businesses in the category required by paragraph 2.11 of Form E, including in respect of any businesses which have come into existence since Form E, identifying the expected share of business profits from these accounts;
	7. copies of an up to date statement showing the Cash Equivalent of any pension rights (or value of any PPF rights) in the category required by paragraph 2.13 of Form E, including in respect of any pension rights or PPF rights which have come into existence since Form E;
	8. copies of all P60s and P11Ds received since Form E, and all pay slips received since the last P60;
	9. copies of all tax returns sent to HMRC and tax assessments since Form E; and
	10. copies of all documents evidencing all income received since Form E in the nature of dividends, interest, rental income, state benefits or otherwise.

## Updating disclosure (where previous disclosure has been by Form E1)(typically cases under children act 1989, schedule 1)

1. Each party shall serve on the other party their updating disclosure by [*time and date*] / [[*time*] on the date [*number*] weeks prior to the [financial dispute resolution appointment] / [final hearing]]. Updating disclosure means the disclosure of the following documents:
	1. copies of all P60s and P11Ds received since Form E1, and all pay slips received since the last P60;
	2. copies of any business accounts which have become available since Form E1 for businesses in the category required by paragraph 2.3 of Form E1, including in respect of any businesses which have come into existence since Form E1, identifying the expected share of business profits from these accounts;
	3. details of all income received since Form E1 in the nature of dividends, interest, rental income, state benefits, pension or otherwise;
	4. copies of all tax returns sent to HMRC and tax assessments since Form E1;
	5. copies of any valuation of any real property obtained since Form E1;
	6. copies of documents evidencing the up to date balance outstanding on any mortgage referred to in paragraph 4.1 of Form E1, including in respect of any mortgage liabilities which have come into existence since Form E1;
	7. copies of all bank and building society statements relating to accounts in the category required by paragraph 4.2 of Form E1, covering the period from the last statement which has been disclosed to the date of updating disclosure, or covering the period from the opening of the account to the date of updating disclosure for any such accounts which have come into existence since Form E1;
	8. a copy of the most up to date statement or dividend counterfoil relating to investments in the category required by paragraph 4.3 of Form E1, including in respect of any investments which have come into existence since Form E1;
	9. a copy of an up to date surrender value for policies in the category required by paragraph 4.4 of Form E1, including in respect of any policies which have come into existence since Form E1; and
	10. details of any asset or liability in the category required by paragraph 5.5 of Form E1, including in respect of any liabilities which have come into existence since Form E1.

## Updating disclosure (where previous disclosure has been by Form E2)(typically income variation cases)

1. Each party shall serve on the other party their updating disclosure by [*time and date*] / [[*time*] on the date [*number*] weeks prior to the [financial dispute resolution appointment] / [final hearing]]. Updating disclosure means the disclosure of the following documents:
	1. copies of all bank and building society statements relating to accounts in the category required by the schedule to Form E2, covering the period from the last statement which has been disclosed to the date of updating disclosure, or covering the period from the opening of the account to the date of updating disclosure for any such accounts which have come into existence since Form E2;
	2. copies of all P60s and P11Ds received since Form E2, and all pay slips received since the last P60; and
	3. copies of all tax returns sent to HMRC and tax assessments since Form E2.

## Valuation of land and real property

### Order to instruct a single joint expert

1. The value of the property at [*family home name*] / [*other property name*] shall be agreed if possible. In default of agreement by [*time and date*], the parties shall jointly instruct [*name of expert*] / [an estate agent] / [a chartered surveyor] / [an appropriate expert] to act as a single joint expert and to provide a [valuation report] / [market appraisal] in respect of the property at [*family home name*] / [*other property name*] [in accordance with the attached letter of instruction], and the following consequential provisions shall apply:
	1. [The parties shall agree the identity of the single joint expert by [*time and date*]. If the parties cannot agree the identity of the single joint expert, the [applicant] / [respondent] shall provide the [respondent] / [applicant] with a list of three appropriate experts by [*time and date*], and the [respondent] / [applicant] shall select an expert from the list by [*time and date*].]
	2. [The letter of instruction shall be drafted by the [applicant] / [respondent] and agreed with the [respondent] / [applicant] by [*time and date*].]
	3. The letter of instruction [and [*other documents*]] shall be sent to the expert by [*time and date*].
	4. The report shall be sent to the court in electronic format and served on the parties simultaneously by [*time and date*].
	5. The costs charged by the expert for preparing the report shall be met by the [applicant] / [respondent] / [parties equally] in the first instance [such costs to be capped at £[*amount*]].
	6. [Any questions shall be put to the expert by no later than 10 days after receipt of the report (in accordance with FPR 2010, rule 25.10).]
	7. [The expert shall respond to those questions by [*time and date*].]
	8. [The costs charged by the expert for answering those questions shall be met by the [applicant] / [respondent] / [parties equally] / [party raising them] in the first instance.]
	9. [Save as is expressly ordered by the court, the expert’s written report shall be admissible without the attendance at court of the expert.]

**(the court is highly likely in the first instance to make an order for a single joint expert report. if, as a result of a *daniels v walker* application, or for some other reason, the court permits one or both parties to obtain their own expert report then the following clauses should be used)**

### Order for one party to instruct an expert

1. The [applicant] / [respondent] shall instruct [*name of expert*] / [an estate agent] / [a chartered surveyor] / [an appropriate expert] to act as an expert and to provide a [valuation report] / [market appraisal] in respect of the property at [*family home name*] / [*other property name*] [in accordance with the attached letter of instruction], and the following consequential provisions shall apply:
	1. [The letter of instruction shall be drafted by the [applicant] / [respondent] by [*time and date*].]
	2. The letter of instruction [and [*insert any other documents*]] shall be sent to the expert by [*time and date*].
	3. The report shall be sent to the court in electronic format and served on the [applicant] / [respondent] by [*time and date*].
	4. The [applicant] / [respondent] shall disclose the report to the [respondent] / [applicant] by [*time and date*].
	5. The costs charged by the expert for preparing the report shall be met by the [applicant] / [respondent] / [parties equally] in the first instance [such costs to be capped at £[*amount*]].
	6. [Any questions shall be put to the expert by no later than 10 days after receipt of the report (in accordance with FPR 2010, rule 25.10).]
	7. [The expert shall respond to those questions by [*time and date*].]
	8. [The costs charged by the expert for answering those questions shall be met by the [applicant] / [respondent] / [parties equally] / [party raising them] in the first instance.]
	9. [Save as is expressly ordered by the court, the expert’s written report shall be admissible without the attendance at court of the expert.]

### Order for individually instructed experts to exchange reports/meet

* 1. The [applicant] / [respondent] / [parties] shall [each] disclose [his] / [her] / [their] expert’s [valuation report] / [market appraisal] to [the respondent’s] / [the applicant’s] / [the other’s] expert by [*time and date*].
	2. There shall be a meeting between the [applicant’s] / [respondent’s] expert and the [respondent’s] / [applicant’s] expert by [*time and date*] to discuss:
		1. the areas of agreement and disagreement;
		2. any action that needs to be taken to resolve any outstanding disagreement; and
		3. any additional evidence that needs to be obtained.
	3. At least five business days prior to this meeting, [*insert nominated professional in accordance with FPR PD 25E, para 3.1*] shall formulate an agenda including a list of questions for consideration at the meeting, and at least two business days prior to this meeting, [*insert nominated professional in accordance with FPR PD 25E, para 3.1*] shall send the agenda to both experts.
	4. A statement of agreement and disagreement shall be prepared by the experts following their meeting and shall be served on both parties not later than five business days after the meeting has taken place.
	5. [Save is as expressly ordered by the court, the [[applicant’s] / [respondent’s] expert’s] / [both experts’] written report[s] shall be admissible without the attendance at court of the expert[s].]

### Other

1. **(either)**

[The valuation of the property at [*family home name*] / [*other property name*] prepared by [*name*] and dated [*date*] shall be the valuation to be used for the purposes of the [financial dispute resolution appointment] / [final hearing] / *[insert as appropriate*].]

**(Or)**

[The [parties have] / [applicant has] / [respondent has] permission to rely on the valuation of the property at [*family home name*] / [*other property name*] prepared by [*name*] and dated [*date*], and this shall be the valuation to be used, for the purposes of the [financial dispute resolution appointment] / [final hearing] / [*insert as appropriate*].]

### Updating property valuations for final hearing

1. If either party wishes to assert that the value of the property at [*family home name*] / [*other property name*] has, or may have, significantly changed since the valuation for FDR purposes was undertaken, the parties shall jointly instruct [*name of expert*] to provide an updated [valuation report] / [market appraisal] in respect of the property, confirming whether there has been any change in the value, and the following consequential provisions shall apply:
	1. The letter of instruction shall be drafted by the [applicant] / [respondent] and agreed with the [respondent] / [applicant] by [*time and date*].
	2. The letter of instruction [and [*other documents*]] shall be sent to the expert by [*time and date*].
	3. The report shall be sent to the court in electronic format and served on the parties simultaneously by [*time and date*].
	4. The costs charged by the expert for preparing the report shall be met by the [applicant] / [respondent] / [parties equally] in the first instance [such costs to be capped at £[*amount*]].
	5. [Any questions shall be put to the expert by no later than 10 days after receipt of the report (in accordance with FPR 2010, rule 25.10).]
	6. [The expert shall respond to those questions by [*time and date*].]
	7. [The costs charged by the expert for answering those questions shall be met by the [applicant] / [respondent] / [parties equally] / [party raising them] in the first instance.]
	8. [Save as is expressly ordered by the court, the expert’s written report shall be admissible without the attendance at court of the expert.]

**Other expert reports**

## Pensions report

### Pensions information

1. The [pension provider] / [pension scheme] shall [complete, send to the court and serve on the parties a copy of the Form P1 (pension inquiry form)] / [provide the information required by Regulations 2, 3 and 4 of the Pensions on Divorce etc (Provision of Information Regulations) 2000] by [*time and date*].

### Order to instruct a single joint Pensions on Divorce Expert (PODE)

* 1. The parties shall jointly instruct [*name of PODE*] / [a suitable PODE, whose name shall be identified] as a single joint expert to provide a report [in accordance with the attached letter of instruction].
	2. [The letter of instruction shall be drafted by the [applicant] / [respondent] and agreed with the [respondent] / [applicant] by [*time and date*].]
	3. The report shall address:
		1. the most cost-effective way to divide the pension provision available to [the applicant] / [the respondent] / [both parties] between the parties so as to provide equality of pension income [now] / [when the [applicant] / [respondent] reaches the age of [60] / [65]] / [when the parties reach their respective state pension age] / [*other*];
		2. an estimate of the pension income that would be receivable by the [applicant] / [respondent] in each of the scenarios in paragraph i. above;
		3. the most cost-effective way to divide the pension provision available to [the applicant] / [the respondent] / [both parties] between the parties so as to achieve equality of [capital value] / [CE] of those pensions;
		4. [*etc*].
	4. The letter of instruction [and [*insert any other documents*]] shall be sent to the PODE by [*time and date*].
	5. The report shall be sent to the court in electronic format and served on the parties simultaneously by [*time and date*].
	6. The costs charged by the PODE for preparing the report shall be met by the [applicant] / [respondent] / [parties equally] in the first instance.
	7. [Any questions shall be put to the PODE by no later than 10 days after receipt of the report (in accordance with FPR 2010, rule 25.10).]
	8. [The PODE shall respond to those questions by [*time and date*].]
	9. [The costs charged by the PODE for answering those questions shall be met by the [applicant] / [respondent] / [parties equally] / [party raising them] in the first instance.]
	10. [Save as is expressly ordered by the court, the PODE’s written report shall be admissible without the attendance at court of the PODE.]

**(the court is highly likely in the first instance to make an order for a single joint expert pode report. if, as a result of a *daniels v walker* application, or for some other reason, the court permits one or both parties to obtain their own pode report then the following clauses should be used)**

### Order for one party to instruct a Pensions on Divorce Expert (PODE)

* 1. The [applicant] / [respondent] shall instruct [*name of PODE*] / [a suitable PODE, whose name shall be identified] to provide a report [in accordance with the attached letter of instruction]. [The letter of instruction shall be drafted by the [applicant] / [respondent].]
	2. The report shall address:
		1. the most cost-effective way to divide the pension provision available to [the applicant] / [the respondent] / [both parties] between the parties so as to provide equality of pension income [now] / [when the [applicant] / [respondent] reaches the age of [60] / [65] / [when the parties reach their respective state pension age] / [*other*];
		2. an estimate of the pension income that would be receivable by the [applicant] / [respondent] in each of the scenarios in paragraph i. above;
		3. the most cost-effective way to divide the pension provision available to [the applicant] / [the respondent] / [both parties] between the parties so as to achieve equality of [capital value] / [CE] of those pensions;
		4. [*etc*].
	3. The letter of instruction [and [*insert any other documents*]] shall be sent to the PODE by [*time and date*].
	4. The report shall be sent to the court in electronic format and served on the [applicant] / [respondent] by [*time and date*].
	5. The costs charged by the PODE for preparing the report shall be met by the [applicant] / [respondent] / [parties equally] in the first instance.
	6. [Any questions shall be put to the PODE by no later than 10 days after receipt of the report (in accordance with FPR 2010, rule 25.10).]
	7. [The PODE shall respond to those questions by [*time and date*].]
	8. [The costs charged by the PODE for answering those questions shall be met by the [applicant] / [respondent] / [parties equally] / [party raising them] in the first instance.]
	9. [Save as is expressly ordered by the court, the PODE’s written report shall be admissible without the attendance at court of the PODE.]

### Order for individually instructed Pensions on Divorce Experts (PODEs) to exchange reports/meet

* 1. The [applicant] / [respondent] / [parties] shall [each] disclose [his] / [her] / [their] PODE’s report to [the respondent’s] / [the applicant’s] / [the other’s] PODE by [*time and date*].
	2. There shall be a meeting between the [applicant’s] / [respondent’s] PODE and [respondent’s] / [applicant’s] PODE by [*time and date*] to discuss their reports, including:
		1. the areas of agreement and disagreement;
		2. any action that needs to be taken to resolve any outstanding disagreement; and
		3. any additional evidence that needs to be obtained.
	3. At least five business days prior to this meeting, [*insert nominated PODE in accordance with FPR PD 25E, para 3.1*] shall formulate an agenda including a list of questions for consideration at the meeting, and at least two business days prior to this meeting, [*insert nominated PODE in accordance with FPR PD 25E, para 3.1*] shall send the agenda to both experts.
	4. A statement of agreement and disagreement shall be prepared by the PODEs following their meeting and shall be served on both parties not later than five business days after the meeting has taken place.
	5. [Save as is expressly ordered by the court, [the [applicant’s] / [respondent’s] expert’s] / [both experts’] written report[s] shall be admissible without the attendance at court of the PODEs.]

## Tax report

### Order to instruct a single joint expert

* 1. The parties shall jointly instruct [*name of expert*] / [an accountant] / [an appropriate expert] to act as a single joint expert and to provide a report [in accordance with the attached letter of instruction], addressing the tax liabilities, if any, and date(s) for payment, which would arise whether in the UK or elsewhere in each of the following scenarios:
		1. the disposal by [either party] / [the applicant] / [the respondent] of [their] / [his] / [her] interest in [the family home] / [*other property/ies name(s)*];
		2. the transfer by [either party] / [the applicant] / [the respondent] of [their] / [his] / [her] interest in [the family home] / [*other property/ies name(s)*] to [the other] / [the respondent] / [the applicant];
		3. the settling by [either party] / [the applicant] / [the respondent] of [their] / [his] / [her] interest in [the family home] / [*other property/ies name(s)*] on [the other] / [the respondent] / [the applicant];
		4. the disposal by either party of [*insert*] / [any of their other assets], [including the [applicant’s] / [respondent’s] offshore assets];
		5. the transfer by either party of [*insert*] / [any of their other assets] to the other, [including the [applicant’s] / [respondent’s] offshore assets];
		6. the repatriation of any of the [applicant’s] / [respondent’s] offshore assets;
		7. the possible methods of mitigating the amount of tax due in any of the above scenarios, and the likely effects of such mitigation on the amounts of tax due;
		8. [*etc*]

and the following consequential provisions shall apply:

* 1. [The parties shall agree the identity of the single joint expert by [*time and date*]. If the parties cannot agree the identity of the single joint expert, the [applicant] / [respondent] shall provide the [respondent] / [applicant] with a list of three appropriate experts by [*time and date*], and the [respondent] / [applicant] shall select an expert from the list by [*time and date*].]
	2. [The letter of instruction shall be drafted by the [applicant] / [respondent] and agreed with the [respondent] / [applicant] by [*time and date*].]
	3. The letter of instruction [and [*other documents*]] shall be sent to the expert by [*time and date*].
	4. The report shall be sent to the court in electronic format and served on the parties simultaneously by [*time and date*].
	5. The costs charged by the expert for preparing the report shall be met by the [applicant] / [respondent] / [parties equally] in the first instance [such costs to be capped at £[*amount*]].
	6. [The [applicant] / [respondent]] / [Both parties] shall provide the expert with any reasonable assistance requested in compiling the report, including providing any necessary information and documentation within a reasonable timeframe of the request.
	7. [Any questions shall be put to the expert by no later than 10 days after receipt of the report (in accordance with FPR 2010, rule 25.10).]
	8. [The expert shall respond to those questions by [*time and date*].]
	9. [The costs charged by the expert for answering those questions shall be met by the [applicant] / [respondent] / [parties equally] / [party raising them] in the first instance.]
	10. [Save as is expressly ordered by the court, the expert’s written report shall be admissible without the attendance at court of the expert.]

**(the court is highly likely in the first instance to make an order for a single joint expert report. if, as a result of a *daniels v walker* application, or for some other reason, the court permits one or both parties to obtain their own expert report then the following clauses should be used)**

### Order to one party to instruct an expert

* 1. The [applicant] / [respondent] shall instruct [*name of expert*] / [an accountant] / [an appropriate expert] to act as an expert and to provide a report [in accordance with the attached letter of instruction], addressing the tax liabilities, if any, and date(s) for payment, which would arise whether in the UK or elsewhere in each of the following scenarios:
		1. the disposal by [either party] / [the applicant] / [the respondent] of [their] / [his] / [her] interest in [the family home] / [*other property/ies name(s)*];
		2. the transfer by [either party] / [the applicant] / [the respondent] of [their] / [his] / [her] interest in [the family home] / [*other property/ies name(s)*] to [the other] / [the respondent] / [the applicant];
		3. the settling by [either party] / [the applicant] / [the respondent] of [their] / [his] / [her] interest in [the family home] / [*other property/ies name(s)*] on [the other] / [the respondent] / [the applicant];
		4. the disposal by either party of [*insert*] / [any of their other assets], [including the [applicant’s] / [respondent’s] offshore assets];
		5. the transfer by either party of [*insert*] / [any of their other assets] to the other, [including the [applicant’s] / [respondent’s] offshore assets];
		6. the repatriation of any of the [applicant’s] / [respondent’s] offshore assets;
		7. the possible methods of mitigating the amount of tax due in any of the above scenarios, and the likely effects of such mitigation on the amounts of tax due;
		8. [*etc*]

and the following consequential provisions shall apply:

* 1. [The letter of instruction shall be drafted by the [applicant] / [respondent] by [*time and date*].]
	2. The letter of instruction [and [*insert any other documents*]] shall be sent to the expert by [*time and date*].
	3. The report shall be sent to the court in electronic format and served on the [applicant] / [respondent] by [*time and date*].
	4. The [applicant] / [respondent] shall disclose the report to the [respondent] / [applicant] by [*time and date*].
	5. The costs charged by the expert for preparing the report shall be met by the [applicant] / [respondent] / [parties equally] in the first instance [such costs to be capped at £[*amount*]].
	6. [The [applicant] / [respondent]] / [Both parties] shall provide the expert with any reasonable assistance requested in compiling the report, including providing any necessary information and documentation within a reasonable timeframe of the request.
	7. [Any questions shall be put to the expert by no later than 10 days after receipt of the report (in accordance with FPR 2010, rule 25.10).]
	8. [The expert shall respond to those questions by [*time and date*].]
	9. [The costs charged by the expert for answering those questions shall be met by the [applicant] / [respondent] / [parties equally] / [party raising them] in the first instance.]
	10. [Save as is expressly ordered by the court, the expert’s written report shall be admissible without the attendance at court of the expert.]

### Order for individually instructed experts to exchange reports/meet

* 1. The [applicant] / [respondent] / [parties] shall [each] disclose [his] / [her] / [their] expert’s report and calculations to [the respondent’s] / [the applicant’s] / [the other’s] expert by [*time and date*].
	2. There shall be a meeting between the [applicant’s] / [respondent’s] expert and the [respondent’s] / [applicant’s] expert by [*time and date*] to discuss their reports, including:
		1. the areas of agreement and disagreement;
		2. any action that needs to be taken to resolve any outstanding disagreement; and
		3. any additional evidence needs to be obtained.
	3. At least five business days prior to this meeting, [*insert nominated professional in accordance with FPR PD 25E, para 3.1*] shall formulate an agenda including a list of questions for consideration at the meeting, and at least two business days prior to this meeting, [*insert nominated professional in accordance with FPR PD 25E, para 3.1*] shall send the agenda to both experts.
	4. A statement of agreement and disagreement shall be prepared by the experts following their meeting and shall be served on both parties not later than five business days after the meeting has taken place.
	5. [Save as is expressly ordered by the court, [the [applicant’s] / [respondent’s] expert’s] / [both experts’] written report[s] shall be admissible without the attendance at court of the expert[s].

## Business Valuation

### Order to instruct a single joint expert

* 1. The parties shall jointly instruct [*name of expert*] / [an accountant] / [an appropriate expert] to act as a single joint expert and to provide a report [in accordance with the attached letter of instruction], addressing:
		1. the value of [*business name*];
		2. the value of the [applicant’s] / [respondent’s] [shareholding] / [interest] in [*business name*];
		3. [the liquidity of [*business name*], including whether it would be possible to draw a capital sum out of it and if so, the most tax efficient method of doing so];
		4. [the [applicant’s] / [respondent’s] sustainable income from [*business name*]];
		5. [how a demerger of [*business name*] could be affected]; and
		6. the tax liabilities, if any, and the date(s) for payment, which would arise in each of the following scenarios:

the disposal of [*business name*];

the disposal by [either party] / [the applicant] / [the respondent] of [their] / [his] / [her] interest in [*business name*];

the transfer by [either party] / [the applicant] / [the respondent] of [their] / [his] / [her] interest in [*business name*] to [the other] / [the respondent] / [the applicant]; and

[the demerger of [*business name*]; and

* + 1. the possible methods of mitigating the amount of tax due in any of the above scenarios, and the likely effects of such mitigation on the amounts of tax due;
		2. [*etc*]

and the following consequential provisions shall apply:

* 1. [The parties shall agree the identity of the single joint expert by [*time and date*]. If the parties cannot agree the identity of the single joint expert, the [applicant] / [respondent] shall provide the [respondent] / [applicant] with a list of three appropriate experts by [*time and date*], and the [respondent] / [applicant] shall select an expert from the list by [*time and date*].]
	2. [The letter of instruction shall be drafted by the [applicant] / [respondent] and agreed with the [respondent] / [applicant] by [*time and date*].]
	3. The letter of instruction [and [*insert any other documents*]] shall be sent to the expert by [*time and date*].
	4. The report shall be sent to the court in electronic format and served on the parties simultaneously by [*time and date*].
	5. The costs charged by the expert for preparing the report shall be met by the [applicant] / [respondent] / [parties equally] in the first instance [such costs to be capped at £[*amount*]].
	6. [The [applicant] / [respondent]] / [Both parties] shall provide the expert with any reasonable assistance requested in compiling the report, including providing any necessary information and documentation within a reasonable timeframe of the request.
	7. [Any questions shall be put to the expert by no later than 10 days after receipt of the report (in accordance with FPR 2010, rule 25.10).]
	8. [The expert shall respond to those questions by [*time and date*].]
	9. [The costs charged by the expert for answering those questions shall be met by the [applicant] / [respondent] / [parties equally] / [party raising them] in the first instance.]
	10. [Save as is expressly ordered by the court, the expert’s written report shall be admissible without the attendance at court of the expert.]

**(the court is highly likely in the first instance to make an order for a single joint expert report. if, as a result of a *daniels v walker* application, or for some other reason, the court permits one or both parties to obtain their own expert report then the following clauses should be used)**

### Order to one party to instruct an expert

* 1. The [applicant] / [respondent] shall instruct [*name of expert*] / [an accountant] / [an appropriate expert] to act as an expert and to provide a report [in accordance with the attached letter of instruction], addressing:
		1. the value of [*business name*];
		2. the value of the [applicant’s] / [respondent’s] [shareholding] / [interest] in [*business name*];
		3. [the liquidity of [*business name*], including whether it would be possible to draw a capital sum out of it and if so, the most tax efficient method of doing so];
		4. [the [applicant’s] / [respondent’s] sustainable income from [*business name*]];
		5. [how a demerger of [*business name*] could be affected]; and
		6. the tax liabilities, if any, and the date(s) for payment, which would arise in each of the following scenarios:

the disposal of [*business name*];

the disposal by [either party] / [the applicant] / [the respondent] of [their] / [his] / [her] interest in [*business name*];

the transfer by [either party] / [the applicant] / [the respondent] of [their] / [his] / [her] interest in [*business name*] to [the other] / [the respondent] / [the applicant]; and

[the demerger of [*business name*]; and

* + 1. the possible methods of mitigating the amount of tax due in any of the above scenarios, and the likely effects of such mitigation on the amounts of tax due;
		2. [*etc*]

and the following consequential provisions shall apply:

* 1. [The letter of instruction shall be drafted by the [applicant] / [respondent] by [*time and date*]].
	2. The letter of instruction [and [*insert any other documents*]] shall be sent to the expert by [*time and date*]
	3. The report shall be sent to the court in electronic format and served on the [applicant] / [respondent] by [*time and date*].
	4. The [applicant] / [respondent] shall disclose the report to the [respondent] / [applicant] by [*time and date*].
	5. The costs charged by the expert for preparing the report shall be met by the [applicant] / [respondent] / [parties equally] in the first instance [such costs to be capped at £[*amount*]].
	6. [The [applicant] / [respondent]] / [Both parties] shall provide the expert with any reasonable assistance requested in compiling the report, including providing any necessary information and documentation within a reasonable timeframe of the request
	7. [Any questions shall be put to the expert by no later than 10 days after receipt of the report (in accordance with FPR 2010, rule 25.10).]
	8. [The expert shall respond to those questions by [*time and date*].]
	9. [The costs charged by the expert for answering those questions shall be met by the [applicant] / [respondent] / [parties equally] / [party raising them] in the first instance.]
	10. [Save as is expressly ordered by the court, the expert’s written report shall be admissible without the attendance at court of the expert.]

### Order for individually instructed experts to exchange reports/meet

1. The [applicant] / [respondent] / [parties] shall [each] disclose [his] / [her] / [their] expert’s report to [the respondent’s] / [the applicant’s] / [the other’s] expert by [*time and date*].
	1. There shall be a meeting between the [applicant’s] / [respondent’s] expert and [respondent’s] / [applicant’s] expert by [*time and date*] to discuss their reports, including:
		1. the areas of agreement and disagreement;
		2. any action that needs to be taken to resolve any outstanding disagreement; and
		3. any additional evidence that needs to be obtained.
	2. At least five business days prior to this meeting, [*insert nominated professional in accordance with FPR PD 25E, para 3.1*] shall formulate an agenda including a list of questions for consideration at the meeting, and at least two business days prior to this meeting, [*insert nominated professional in accordance with FPR PD 25E, para 3.1*] shall send the agenda to both experts.
	3. A statement of agreement and disagreement shall be prepared by the experts following their meeting and shall be served on both parties not later than five business days after the meeting has taken place.
	4. [Save is as expressly ordered by the court, the [[applicant’s] / [respondent’s] expert’s] / [both experts’] written report[s] shall be admissible without the attendance at court of the expert[s].]

## No other expert evidence without the court’s permission

1. Save as is expressly ordered by the court, no further expert evidence shall be admissible before the court.

## Variation of settlement

* 1. A copy of the applicant’s application for variation of the [*insert*] / [ante-nuptial] / [post-nuptial] settlement [and a copy of [*other documents*]] shall be served on the trustees of the settlement, [the settlor (if living)] [and such other persons as the court directs] in accordance with FPR 2010 r.9.13(1) by [*time and date*].
	2. The trustees of the settlement, [the settlor (if living)] [and such other persons as the court directs] may send to the court and serve signed a statement in answer [within 14 days beginning with the date of service upon them] / [by [*time and date*]].

## Consolidation of proceedings

* 1. The [applicant’s] [and] / [or] [first respondent’s] / [second respondent’s] [respective] applications under [*insert statute* **(e.g. ‘the Matrimonial Causes Act 1973, Schedule 1 to the Children Act 1989, Trust of Land and Appointment of Trustee Act 1996’)**] are consolidated.
	2. The applicant’s application under [*insert statute*] shall become the lead application, and the consolidated applications shall proceed under case number [*case no*.].
	3. The [applicant] / [first respondent] / [second respondent] shall serve on the [first respondent] / [second respondent] / [*etc*.] copies of the following documents in relation to the [applicant’s] / [first respondent’s] / [second respondent’s] application[s] under [*insert statute* **(e.g. ‘the Matrimonial Causes Act 1973, Schedule 1 to the Children Act 1989, Trust of Land and Appointment of Trustee Act 1996’)**]: [*insert documents*]

## Intervener[s]

1. [*Name*] is given permission to intervene in these proceedings.

## Joinder of parties

1. [*Name*] and [*name*] are joined as [second] / [third] / [*etc. as appropriate*] respondents to these proceedings.

## Evidence to be served on [intervener[s]] / [additional parties]

1. The [applicant] / [respondent] / [[applicant’s] / [respondent’s] solicitors] shall by [*time and date*] serve upon the [intervener] / [second] / [third] / [*etc. as appropriate*] respondent copies of the following documents:
	1. [*insert*]

## Evidence of [intervener[s]] / [additional parties]

1. The parties shall identify the basis of the dispute between them by complying with the following directions:
	1. The [applicant] / [respondent] / [intervener] / [second respondent] shall by [*time and date*] send to the court and serve on the other parties points of claim, [setting out [his] / [her] / [their] case as to [*insert*] fully] / [dealing with [*insert*]] / [limited to dealing with [*insert*]].
	2. The [applicant] / [respondent] / [intervener] / [second respondent] shall by [*time and date*] send to the court and serve on the other parties [points of dispute] / [a defence], [setting out [his] / [her] / [their] case in reply].
	3. The [applicant] / [respondent] / [intervener] / [second respondent] shall by [*time and date*] send to the court and serve on the other parties any witness statements upon which [he] / [she] / [they] intend to rely.
	4. There be the following additional directions for disclosure: [*insert*].

## Documents to be produced by trustees

1. The [second] / [third] / [*etc. as appropriate*] respondent shall by [*time and date*] send to the court and serve on the applicant and the first respondent the following information and documents in respect of the [*insert*] settlement:
	1. copies of the deed of trust and all subsequent deeds of variation and appointment;
	2. copies of the completed and approved trust accounts for the last [*number*] years;
	3. [copies of any letter of wishes;]
	4. confirmation as to the identity of the present trustees [and protector] of the trust;
	5. confirmation as to the identity of the present beneficiaries of the trust;
	6. a schedule authenticated by the trustees setting out all distributions and appointments made to or on behalf of the [applicant] / [first respondent] / [*insert other*] since [*date*]; and
	7. a short narrative statement setting out the trustees’ anticipated position in respect of any further distributions to or on behalf of the [applicant] / [first respondent] / [*insert as appropriate*].

## Preliminary issue hearing

1. The issue of the [*insert*] interest in [*insert*] be listed for determination by way of a preliminary issue before [*name or level of judge*] sitting at the Family Court sitting at [*court name*] at [*time*] on [*date*] with a time estimate of [*hours/days*].

## Scott Schedule

1. The [applicant] / [respondent] / [parties] shall [each] prepare a Scott Schedule, stating in relation to each item of property in dispute [their] / [each party’s] case as to:
	1. the party by whom it was acquired;
	2. how and from whom it was acquired (purchase/inheritance/gift etc) with documentary evidence in support;
	3. its current value with documentary evidence in support;
	4. what order is sought and the justification for seeking it;
	5. [*etc*];

by [*time and date*].

1. [The parties shall send to the court and serve their schedules on each other by [*time and date*].] / [The [applicant] / [respondent] shall send to the court and serve on the [respondent] / [applicant] [his] / [her] schedule by [*time and date*], and the [respondent] / [applicant] shall send to the court and serve on the [applicant] / [respondent] [his] / [her] response to the schedule by [*time and date*].]

## Permission to disclose order to CMS

* 1. There be permission to the [applicant] / [respondent] under FPR 2010, rule 12.73(1)(b) to produce to the CMS a copy of the [respondent’s] / [applicant’s] [Form E] / [Form E1] and Replies to Questionnaire if so advised.
	2. The [applicant] / [respondent] shall send the [respondent] / [applicant] a copy of any letter and supporting documentation sent to the CMS forthwith after sending it.

## Further hearing(s)

* 1. The application shall be listed for a [mention hearing] / [further directions appointment] / [post pFDR directions hearing] / [financial dispute resolution appointment] / [pre-trial review] / [case management appointment] / [final hearing] before [*name or level of judge*] at the Family Court sitting at [*court name*] on [*date*] at [*time*] / [on the first open day after [*date*] [suitable to counsel for both parties] / [on a date to be fixed in consultation with counsel’s clerks] with a time estimate of [*hours/days*]].
	2. The hearing will be [an attended in court hearing] / [a remote hearing by such video platform as the court decides and, to facilitate this, the parties should send to the court at least seven days before the hearing email addresses for all the intended participants so that the court can send out invitations for the video hearing].
	3. The parties and their legal advisers (if any) shall [attend the court building] / [communicate with each other] at least one hour prior to the listing time of the hearing to negotiate and attempt to narrow the issues.

## Further hearing in the event of the court directing a private FDR (pFDR)

1. The in-court FDR process is disapplied. The parties are required to attend a pFDR on [*date*]. The evaluator at the pFDR hearing shall be [*name*]. The pFDR date may only be altered by an order of the court (which may be made by consent).
2. If the case does not settle at the pFDR then the parties shall provide an explanation to the next FRC Judge dealing with the case so that the court can be assured that a thorough FDR exercise has taken place. This explanation should not include reference to any without prejudice positions, but should give the date of the pFDR, the identity of the tribunal, and how long the hearing and negotiations lasted.

## Adjournment

1. This hearing is adjourned until [*time and date*] on the following terms [*set out directions to prevail*].

## Adjournment for [settlement negotiations] / [mediation] / [arbitration] / [private financial dispute resolution appointment] / [non-court dispute resolution]

1. This application is adjourned until [*time and date*] [(a) to enable the parties to obtain information and advice about, and consider using, non-court dispute resolution; and (b) where the parties agree, to enable non-court dispute resolution to take place] / [to enable the parties to attempt to resolve the matters in dispute by means of [negotiation] / [mediation **(details of mediator and start date could be inserted here if useful and available)**] / [arbitration **(insert details if available)**] / [a pFDR appointment [arranged in front of [*name*]] / to be arranged in front of [*name*]] / [*other*]. [The parties shall tell the court if any of the issues in the proceedings have been resolved by [*time and date and method*]].

## Evidence at the financial dispute resolution appointment (whether court-based or private)

* 1. The parties shall produce an electronic hearing bundle which complies with:
		1. FPR 2010 PD 27A;
		2. The President’s Guidance on E-Bundles of 21 December 2021;
		3. General Guidance on Electronic Bundles of 29 November 2021;
		4. Advisory Notice from the Financial Remedies Court of 19 April 2022.
	2. The [applicant] / [respondent] shall prepare a bundle containing:
		1. an updated composite case summary using Template ES1;
		2. an updated composite schedule of assets using Template ES2;
		3. a composite chronology recording in neutral terms the key dates of the parties’ relationship and of the litigation and where any unagreed events are clearly denoted;
		4. an [agreed] summary of the issues to be determined;
		5. [*insert* **(list other documents to be included – e.g. ‘all applications and orders made in these proceedings’, ‘the parties’ narrative Forms E’, ‘the parties’ narrative replies to questionnaire’, ‘the parties’ narrative witness statements’, ‘the expert reports’ etc.)**].
	3. The bundle shall be agreed [if possible] by both parties. The [applicant] / [respondent] shall send the [respondent] / [applicant] a draft index for the bundle by [*time and date*] / [not later than [*number*] days before the financial dispute resolution appointment], and the [respondent] / [applicant] shall send the [applicant] / [respondent] any comments on the index by [*time and date*] / [not later than [*number*] days before the financial dispute resolution appointment].
	4. The bundle must be paginated. [It shall contain no more than 350 pages.] / [Permission is given for the bundle to exceed 350 pages, but it shall not contain more than [*number*] pages.]
	5. The [applicant] / [respondent] shall send the bundle to the court by [*time and date*] / [not later than [*number*] days before the financial dispute resolution appointment], and shall provide a copy of the bundle to the [respondent] / [applicant] by [*time and date*] / [not later than [*number*] days before the financial dispute resolution appointment] provided that the [respondent] / [applicant] agrees to discharge [his] / [her] reasonable costs of copying the bundle. If [he] / [she] does not do so, the [applicant] / [respondent] shall provide an index for the bundle to the [respondent] / [applicant] by [*time and date*] / [not later than [*number*] days before the financial dispute resolution appointment].

## Evidence at final hearing

* 1. Both parties shall attend the final hearing to give oral evidence.
	2. Any witness [swearing an affidavit] / [sending to the court and serving on the parties a witness statement] shall attend the final hearing to give oral evidence [unless their evidence is not disputed].
	3. The hearing shall not be before the FDR judge, who was [District] / [Circuit] / [High Court] Judge [*name*].
	4. The parties shall produce an electronic hearing bundle which complies with:
		1. FPR 2010 PD 27A;
		2. The President’s Guidance on E-Bundles of 21 December 2021;
		3. General Guidance on Electronic Bundles of 29 November 2021;
		4. Advisory Notice from the Financial Remedies Court of 19 April 2022.
	5. The [applicant] / [respondent] shall prepare a bundle containing:
		1. an updated composite case summary using Template ES1;
		2. an updated composite schedule of assets using Template ES2;
		3. a composite chronology recording in neutral terms the key dates of the parties’ relationship and of the litigation and where any unagreed events are clearly denoted;
		4. an [agreed] summary of the issues to be determined;
		5. [*insert* **(list other documents to be included – e.g. ‘all applications and orders made in these proceedings’, ‘the parties’ narrative Forms E’, ‘the parties’ narrative replies to questionnaire’, ‘the parties’ narrative witness statements’, ‘the expert reports’ etc.)**].
	6. The bundle shall be agreed [if possible] by both parties. The [applicant] / [respondent] shall send the [respondent] / [applicant] a draft index for the bundle by [*time and date*] / [not later than [*number*] days before the final hearing], and the [respondent] / [applicant] shall send the [applicant] / [respondent] any comments on the index by [*time and date*] / [not later than [*number*] days before the final hearing].
	7. The bundle must be paginated. [It shall contain no more than 350 pages.] / [Permission is given for the bundle to exceed 350 pages, but it shall not contain more than [*number*] pages.]
	8. The [applicant] / [respondent] shall send the bundle to the court by [*time and date*] / [not later than [*number*] days before the final hearing], and shall provide a copy of the bundle to the [respondent] / [applicant] by [*time and date*] / [not later than [*number*] days before the final hearing] provided that the [respondent] / [applicant] agrees to discharge [his] / [her] reasonable costs of copying the bundle. If [he] / [she] does not do so, the [applicant] / [respondent] shall provide an index for the bundle to the [respondent] / [applicant] by [*time and date*] / [not later than [*number*] days before the final hearing].

## Domestic Abuse Act 2021 Cross Examination Provisions (Alleged Victim)

1. The [applicant, [*applicant name*]] / [respondent, [*respondent name*]] **(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).

## Domestic Abuse Act 2021 Cross Examination Provisions (Alleged Perpetrator)

1. The [applicant, [*applicant name*]] / [respondent, [*respondent name*]] **(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).

## Costs Estimates

* 1. [[Each party] / [The [applicant] / [respondent] / [second respondent] / [third respondent] / [*etc*.]] shall send to the court and serve on the other [party] / [parties] a costs estimate in Form H, stating (i) the costs that party has incurred up to [today’s hearing] / [the first appointment] / [the financial dispute resolution appointment] / [the adjourned directions appointment] / [the pre-trial review hearing] / [the case management hearing]; and (ii) the further costs that party expects to incur after today’s hearing up to and including the [financial dispute resolution appointment] / [final hearing] if settlement is not reached [by [*time and date*]] / [by [*time*] on the day before the [first appointment] / [financial dispute resolution appointment] / [adjourned directions appointment] / [pre-trial review hearing] / [case management hearing].]
	2. [[Each party] / [The [applicant] / [respondent] / [second respondent] / [third respondent] / [*etc*.]] shall send to the court and serve on the other [party] / [parties] costs particulars in Form H1, giving full particulars of all costs that party has incurred or expects to incur in respect of the proceedings, [by [*time and date*]] / [by [*time*] on the date 14 days before the final hearing.]]

## Offers for financial dispute resolution appointment

* 1. [The parties shall exchange without prejudice proposals for the resolution of the matters in dispute, or an explanation as to why they have chosen not to make any proposals, [by [*time and date*]] / [not later than [*number*] days before the financial dispute resolution appointment].]
	2. [The [applicant] / [respondent] shall serve [his] / [her] without prejudice proposals for the resolution of the matters in dispute on the [respondent] / [applicant], or an explanation as to why they have chosen not to make any proposals, by [*time and date*] / [not later than [*number*] days before the financial dispute resolution appointment], and the [respondent] / [applicant] shall serve [his] / [her] without prejudice proposals on the [applicant] / [respondent] for the resolution of the matters in dispute in reply, or an explanation as to why they have chosen not to make any proposals, by [*time and date*] / [not later than [*number*] days before the financial dispute resolution appointment].]
	3. The [applicant] / [respondent] shall send to the court a schedule of the without prejudice and open proposals made by each party for the resolution of the matters in dispute by [*time and date*]] / [not later than [*number*] days before the financial dispute resolution appointment].

## Offers for other hearings

* 1. [The parties shall exchange open proposals for the resolution of the matters in dispute by [*time and date - e.g. 21 days after the date of the FDR*] / [not later than [*number*] days before the [adjourned directions appointment] / [case management hearing] / [final hearing]].]
	2. [The [applicant] / [respondent] shall serve [his] / [her] open proposals for the resolution of the matters in dispute on the [respondent] / [applicant] by [*time and date*] / [not later than [*number*] days before the [adjourned directions appointment] / [case management hearing] / [final hearing]], and the [respondent] / [applicant] shall serve [his] / [her] open proposals for the resolution of the matters in dispute in reply on the [applicant] / [respondent] by [*time and date*] / [not later than [*number*] days before the [adjourned directions appointment] / [case management hearing] / [final hearing]].]
	3. The [applicant] / [respondent] shall send to the court a schedule of the open proposals made by each party for the resolution of the matters in dispute by [*time and date*] / [not later than [*number*] days before the [adjourned directions appointment] / [case management hearing] / [final hearing]].

## Costs

1. [Costs in the application.] / [No order as to costs.] / [The [applicant] / [respondent] shall pay [towards] the [respondent’s] / [applicant’s] costs of and relating to this hearing [including the costs reserved by the order[s] made on [*date(s)*], summarily assessed at £[*amount*] (inclusive of VAT and disbursements) by [*date*]] / [The [applicant] / [respondent] shall pay [*proportion*] of the [respondent’s] / [applicant’s] costs of and relating to this hearing [including the costs reserved by the order[s] made on [*date(s)*], to be subject to detailed assessment on the [standard] / [indemnity] basis if not agreed].

## Costs — order against a publicly funded party

1. The [applicant] / [respondent] shall pay [[towards] the [respondent’s] / [applicant’s] costs] / [[*proportion*] of the [respondent’s] / [applicant’s] costs] of and relating to this hearing [including the costs reserved by the order[s] made on [*date(s)*] [summarily assessed at £[*amount*] (inclusive of VAT and disbursements)] by [*date*], subject to there being a determination pursuant to section 11 of the Access to Justice Act 1999 that it is reasonable for the [applicant] / [respondent] to do so] / [[to be subject to detailed assessment on the [standard] / [indemnity] basis if not agreed] subject to there being a determination pursuant to section 11 of the Access to Justice Act 1999 that it is reasonable for the [applicant] / [respondent] to do so]. [This order for costs shall not be enforced without the court’s permission.]

## Delayed costs order

1. The time for commencement of proceedings for the assessment of the costs under the Community Legal Services (Financial) Regulations 2000 shall not start until the date of completion of the [transfer] / [sale] of [the family home] / [*other property name*] referred to in paragraph [*para number*] of this order.

Dated [*date*] Approved by [*name*]