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

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

**The Family Procedure Rules 2010 rules 3.2-3.4
The Arbitration Act 1996, section 9**

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

**(Adapt as necessary)**

After hearing [*name the advocates(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 witness(es) specified in the Recitals below

**ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN [OPEN COURT] / [PRIVATE]**

## 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

1. IFLA is the Institute of Family Law Arbitrators.
2. Form [ARB1FS] / [ARB1CS] is the arbitration agreement signed by the parties of which a copy has been lodged with the court.
3. The arbitration is an arbitration which is to be conducted in accordance with the rules of the IFLA arbitration scheme.

## Recitals

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*].
2. **(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*].

1. The [applicant] / [respondent] has applied to this court for [financial remedies] / [a children order].
2. The court (i) must by rules 3.2 and 3.3 of the Family Procedure Rules 2010 at every stage in proceedings consider whether non-court dispute resolution is appropriate and, if so, whether to adjourn those proceedings so to enable non-court dispute resolution to take place; and (ii) has power pursuant to its general powers of management under rule 4.1(g) to stay the whole or any part of proceedings either generally or until a specified date or event.

## Agreements

1. By their Form [ARB1FS] / [ARB1CS] the parties have agreed to refer to arbitration the issues described in it.

## Undertakings to the court

1. [*Set out*]

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

1. The pending application[s] for [financial remedies] / [a child arrangements order] [as appropriate] [is] / [are] [stayed] / [adjourned] pending receipt of the award in the arbitration (or until the parties may reach agreement in respect of the arbitration issues) [oruntil [*specify date or event*]] or further order meanwhile.
2. Upon receipt of the award (or upon reaching agreement) either party may in a form agreed with the other seek an order of this court to give effect to the award (or their agreement).
3. **(Or if the parties cannot reach agreement upon the form of an order to give effect to the award)** Failing agreement between the parties as to the form of an order to give effect to the award either party may apply for the other to show why an order should not be made in the terms of the draft proposed.
4. Any application under either of the preceding two paragraphs shall be lodged together with a copy of the award[, Form(s) D81] and with a draft of the order which the court is requested to make.
5. [*Set out provision for the costs of the stay application*]

Dated [*date*]

**(Where undertakings have been given)**

**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-**

**a. have, or have had since the date of your undertaking, the means to pay the sum; and**

**b. 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.

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[*applicant name*]

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[*respondent name*]