

How to

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# Apply for parental responsibility without the help of a lawyer

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**advice**now

Making sense of the law and your rights

## About this guide

This guide is for you if you are a parent or step-parent and want to know more about parental responsibility – what it is and how you get it. It explains how to make a parental responsibility agreement and how to apply for a parental responsibility order.

It is also for people supporting litigants in person, for example Personal Support Unit volunteers, CAB volunteers, housing support workers, advice workers and court staff as well as relatives and friends.

This guide doesn't explain how to apply for a court order which deals with things like who your child will live with and when they will see their other parent. This kind of order is called a child arrangements order. Courts can and sometimes must make a parental responsibility order if you get a child arrangements order. You can find detailed information about how to apply for a child arrangements order here: [www.advicenow.org.uk/guides/how-apply-court-order-about-arrangements-your-children-without-help-lawyer](http://www.advicenow.org.uk/guides/how-apply-court-order-about-arrangements-your-children-without-help-lawyer).

This guide also doesn't deal with applying for a parental responsibility order prior to adoption abroad.

It assumes that you will be applying for a parental responsibility order yourself, without the help of a lawyer. If you represent yourself in any court proceedings without the help of a solicitor or barrister, then you will be called a 'litigant in person'. You may also hear people talk about 'self-representing'. This means the same.

We talk about the court 'doing' things in this guide. For example, the court may 'send' out a form, 'make' a decision or 'think' about something. You may be more used to thinking of the court as a place, a building. But 'the court' is often used as shorthand to refer to the people working in the court, whether they are a judge, a magistrate or court staff. This is similar to how we might talk about schools or hospitals. For example, the hospital 'made' me an appointment or the school 'sent' me a letter.



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# Parental responsibility – what is it and why is it important?

## What is it?

Parental responsibility is how the law describes the responsibilities and rights that go with being a parent. If you have parental responsibility for a child, you must care for and protect that child and the law entitles you to be involved in making decisions about them.

## Why is it important?

Having parental responsibility will put your relationship with your child or step-child on an official footing. Your position will be recognised by schools, hospitals, local authorities and everyone else. This may make both the child and you feel a bit more secure.

Depending on whether you are the only person with parental responsibility or share the responsibility with others, you can make or be involved in decisions about the child's future. This includes things like choosing the child's names, the religion they will be brought up in and what schools they'll go to. It means you'll be able to do things like consent to medical treatment for them, apply for a passport for them, consent to their marriage if they want to marry before they're 18, and look after any property they are entitled to until their 18th birthday. It also means your child's school should keep you informed about how they are doing at school, send you school reports and generally keep you in the loop, for example, about parents evenings, sports days, and other events.



But there are limits to the extent of your involvement if the child doesn't live with you. Just because you have parental responsibility, doesn't mean you can interfere with the child's day to day living arrangements, for example, by trying to control what they have for lunch.

A parent who has parental responsibility can ask somebody else to use that responsibility on their behalf. So, for example, if you leave your child with their granny for a week while you are working you could give granny a letter confirming that she can use your parental responsibility while you are away. Granny could show that letter to your child's school or a hospital to prove that she has 'delegated' parental responsibility and the school or hospital should respect it. Equally a mum can delegate parental responsibility to a dad who does not have it. So it is not always necessary for a dad to have a parental responsibility agreement or order to be able to use parental responsibility if needed.

## “Dan’s story

I was nineteen when we first started going out. We soon moved in together and, after a while, had two children. We never really thought to get married.



After fourteen years, it all fell apart.

It was such shock when we finally split up – neither of us handled it well. My ex started using the kids to get her own way. She wanted more child support, but I couldn’t afford it, so she stopped me seeing them. It turned out that I didn’t have parental responsibility for either of them. For a while, it didn’t seem to matter. But when my daughter became ill, I wasn’t able to consent to her having an operation – the hospital had to get that from my ex.

I wish I’d known about parental responsibility when we were still together. I could have sorted out parental responsibility agreements or re-registered their births to add my details and naming me as the dad. Since the split, that’s not been an option – my ex is not about to make things easy for me. My only alternative now is to go to court. The difficulty with that is that we’ve just managed to agree when I see the children and I don’t really want to rock the boat.

”

# Have I already got parental responsibility and if not, how do I get it?

Have I already got parental responsibility and if not how do I get it?

Not all parents are treated the same and not all parents have 'parental responsibility'.

## Mums

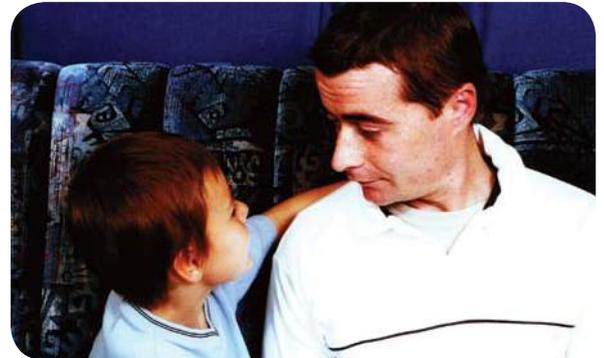
If you are a birth mother you immediately and automatically have parental responsibility when you give birth to your child.

## Unmarried dads

If your child's birth was registered on or after 1 December 2003 and you were named on the birth certificate as their dad, you automatically have parental responsibility.

If you are not named on the birth certificate then you don't have parental responsibility. But as the biological father, you can get it by:

- marrying your child's biological mother, or
- re-registering your child's birth to add your details naming you as the dad, or
- making a parental responsibility agreement with your child's mum, or
- applying successfully for a parental responsibility order (if your child's mum will not agree to any of the above), or
- being appointed the child's guardian if the mother dies, or



- getting a child arrangements order that says your child will live with you. In these circumstances the court must make a separate parental responsibility order which can only be ended by another court order. (The situation is different if you get a child arrangements order that just says your child will spend time with you and not that your child will live with you. In these circumstances the court may make a parental responsibility order but it doesn't have to.)

An order giving you parental responsibility does not automatically result in a change to your child's birth registration. If you want that to happen (and your ex still won't re-register the birth with you, naming you as the dad) you will have to ask the court for another order called a Declaration of Parentage (a formal statement by the court that you are the child's father). You apply for declaration of parentage using form C63. You can find this at <https://formfinder.hmctsformfinder.justice.gov.uk/c63-eng.pdf> and a Welsh/English version at <https://formfinder.hmctsformfinder.justice.gov.uk/c63-bil.pdf>. If you get this declaration, the court must tell the General Registrar Office and the birth will be re-registered.

## Married dads

If you are married to your child's mum, you automatically have parental responsibility. This is the case whether you got married before or after your child was born. And you keep parental responsibility even if you get divorced. Only a court can decide that you should lose it.

## Second female parents

'Second female parent' is a legal term that means something very specific. As the female partner of a mother, you are a 'second female parent' if:

- your partner had a child through a fertility clinic in the UK, licensed by the Human Fertilisation and Embryology Authority, **and**
- you and the child's mother both agreed to you being treated as a parent before conception took place, **and**
- your partner's child was conceived on or after 6th April 2009.

Being a second female parent does not automatically give you parental responsibility.

If you are a second female parent and were in a civil partnership or married to your child's mother when the child was born, then you automatically have parental responsibility.

If you are a second female parent but weren't in a civil partnership or married to your child's mother when the child was born, you can get parental responsibility in all the ways available to an unmarried dad.

## Step-parents

As a step-parent there are no circumstances in which you have parental responsibility automatically. So marriage or civil partnership to one of the child's parents does not automatically give you parental responsibility.

Married step-parents (in both opposite sex and same-sex couples) and step parents in a civil partnership can get parental responsibility by:

- making a parental responsibility agreement with the parent or parents who already have parental responsibility, or
- applying to the court for a parental responsibility order.

Step-parents who are not married or in a civil partnership can only get parental responsibility by adopting their partner's child.



It is possible for more than two people to have parental responsibility for the same child at the same time. This can happen, for example, where parents divorce, one parent remarries and the two parents with parental responsibility make a parental responsibility agreement with the step-parent.

If you still aren't sure whether you have parental responsibility or not, you may need to get legal advice about your position: see **More help and advice**.

Have I already got parental responsibility and if not how do I get it?

Have I already got parental responsibility and if not how do I get it?

**My son was born in 2002. I'm not married to my partner but I'm on the birth certificate as his dad. Does that mean I have parental responsibility? Jamil**

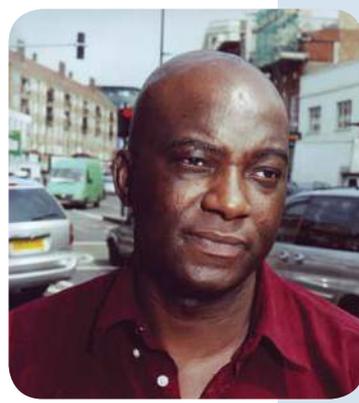
No, you don't automatically have parental responsibility. It wasn't until 1 December 2003 that unmarried dads got parental responsibility if their details were included on the birth certificate.

To get parental responsibility, you will have to either:

- marry your son's mother,
- enter into a parental responsibility agreement with your son's mother, or
- apply to court for a parental responsibility order if she won't make an agreement.

**I don't have parental responsibility for my daughter – her mother won't let me have much to do with her at all – so how come I have to pay child support? Richard**

Parental responsibility and child support are separate issues. All parents have a duty to support their biological children financially if they have the means, whether or not they have parental responsibility. But, if you want to have more contact with your daughter and her mother is stopping you, you should think about asking the court for a child arrangements order. We explain how to do that in another guide that you can find at [www.advicenow.org.uk/guides/how-apply-court-order-about-arrangements-your-children-without-help-lawyer](http://www.advicenow.org.uk/guides/how-apply-court-order-about-arrangements-your-children-without-help-lawyer).



If the court makes a child arrangements order setting out when and how often you and your daughter can spend time together, it can also make a parental responsibility order. If you get parental responsibility this way, you will keep it for as long as the child arrangements order lasts.

**My partner has a daughter from a previous relationship. We've been together ever since she was a toddler so I think of her as my own but I don't know where I stand legally. Would I be recognised as her mother if me and her Dad got married?**

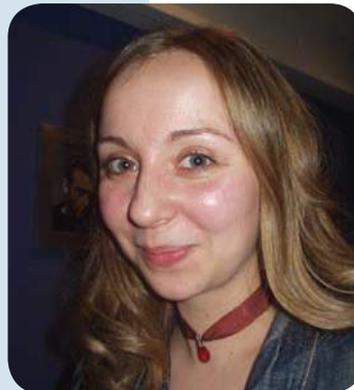
**Megan**

To get the rights and responsibilities associated with being a parent, you would need to have parental responsibility for your partner's daughter. You won't get parental responsibility just by marrying your partner. But if you do marry them, you could then make a Step-parent Parental Responsibility Agreement with your partner and the child's mother. Then all three of you would have parental responsibility for the child.

If the child's mum won't agree to do this, once married you could apply to the court for a parental responsibility order.

Another option would be for you to adopt her. Legally this would make her your daughter in all respects.

For further information about adoption, see Adoption – a guide for family court users at <https://formfinder.hmctsformfinder.justice.gov.uk/a20-eng.pdf> and a Welsh version at <https://formfinder.hmctsformfinder.justice.gov.uk/a020-cym.pdf>



Have I already got parental responsibility and if not how do I get it?

# How to make a parental responsibility agreement with a child's mum

## How to make a parental responsibility agreement

Unmarried dads, married step parents, step parents in a civil partnership and second female parents are the only people who have the option of making a parental responsibility agreement.

### 1 Get the official form:

- Dads need form C(PRA1).
- Step parents need form C(PRA2).
- Second female parents need form C(PRA3).

You can download the form you need from the HM Courts and Tribunal Service website at <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do> or get it from your local family court. You need one form for each child. You can search for Welsh language versions of the same forms at <http://hmctsformfinder.justice.gov.uk/HMCTS/WelshFormFinder.do>

**2 The instructions about filling in the form are on the back – follow these carefully.**

**3 Take the completed but unsigned form to your local family court or the Central Family Court during court office opening hours.**

Arrange to do this at a time when everyone making the agreement can also be there so you can sign it at the same time. You can find the contact details and opening times of all courts here: <https://courtribunalfinder.service.gov.uk/search>

**4 Make sure that you take the documents you need with you.**

These are listed in the notes on the back of the form. If you can't find the child's birth certificate, you will need to get a replacement from here: [www.gro.gov.uk/gro/content/certificates](http://www.gro.gov.uk/gro/content/certificates)

**5 When the declaration and the Certificate of witness have been signed, make enough copies so that each parent can have their own copy.**

You don't need to copy the notes on the back.

**6 Take or send the original parental responsibility agreement and the copies to:**

The Central Family Court,  
First Avenue House,  
42–49 High Holborn,  
London WC1V 6NP

The court will make a record of the parental responsibility agreement and keep the original form. They will stamp and send the copies back – one to each parent who has signed the agreement at the address given for them on the form. When you get your stamped copy, you will know that the parental responsibility agreement is now official. Keep it somewhere safe as you may need it in the future.

# How to apply for a parental responsibility order

If your child's mum or step-child's other parent won't make a parental responsibility agreement you may need to apply for a parental responsibility order. Here we explain who can apply for this kind of court order, how you apply, what forms you must fill in and what happens next.

## Who can apply?

You can apply for a parental responsibility order if you do not already have parental responsibility and you are:

- the child's dad, or
- a second female parent, or
- not the child's parent but are married to or the civil partner of one of the child's parents – but only if your husband, wife or civil partner has parental responsibility for the child.

If you are the person asking for a parental responsibility order, you are called the 'applicant'. If you are the person getting the application, you are called the 'respondent'. For more information about respondents, see **pages 19 and 20**.

## Mediation Information and Assessment Meeting (MIAM)

You must attend a Mediation Information and Assessment Meeting (MIAM) before you can apply to the court for a parental responsibility order – unless you fall into the limited circumstances that mean you don't have to do this. (For more information about these circumstances, see **Circumstances when you don't have to attend a MIAM** on **page 13**.)

The purpose of this meeting is to:

- explore whether you really have to go to court or whether you might be able to come to an agreement, and
- assess whether mediation is a safe way for you and the other parent to try and sort out your disagreement.

Mediation aims to help you communicate with one another now and in the future and to reduce any conflict between you. Trained mediators can help you talk to each other and find solutions, even when it is hard. They are there to help you both and can provide you with a safe and supportive environment where you can work out solutions together. But nobody has to use mediation.

How to apply for a parental responsibility order





## What happens at a Mediation Information and Assessment Meeting?

The meeting will probably last about 40–45 minutes. The mediator:

- explains what family mediation and other forms of dispute resolution are and how they work,
- explains the benefits of mediation, other forms of dispute resolution, and the likely costs,
- answers any questions you have about your situation and how mediation might work for you,
- assesses whether you are eligible for legal aid for mediation or will have to pay for it,
- assesses whether mediation or other form of dispute resolution is suitable in your case, and
- completes part of form FM1 if you want to make a court application. (Form FM1 is one of the forms you must complete as part of your application for a parental responsibility order. You can find a link to this form in the Forms and rules box on **page 15**.)

For more information about how these meetings work, see: [www.advicenow.org.uk/articles/how-information-and-assessment-meetings-work](http://www.advicenow.org.uk/articles/how-information-and-assessment-meetings-work)

Once you have been to the Mediation Information and Assessment Meeting, you or the family mediator may decide there are reasons why mediation will not work. This may be because there has been domestic abuse in your relationship. It may be that either or both of you have a drug or alcohol problem or a mental illness. That problem or illness may create such a big risk that it isn't safe for mediation to take place.

## Circumstances when you don't have to attend a MIAM

There are some circumstances when you don't have to attend a Mediation Information and Assessment Meeting. For example, if your application is urgent or where there are allegations against or by you of domestic violence within the past 24 months involving the police or civil proceedings. (If you didn't report it, you still need to speak to a mediator but can explain that you don't want to use mediation because there has been violence between you).

You can find the full list of circumstances in which you can ask the court to agree that you don't have to attend a Mediation Information and Assessment Meeting (the law calls this 'claiming an exemption') in para 3.8 of Part 3 of the Family Procedure Rules: [www.justice.gov.uk/courts/procedure-rules/family/parts/part\\_03#para3](http://www.justice.gov.uk/courts/procedure-rules/family/parts/part_03#para3)

If you want to claim exemption from attending a Mediation Information and Assessment Meeting, there is a section in form FM1 that you must complete if or when you apply for a parental responsibility order. You can find a link to this form in the Forms and rules box on **page 15**.

## How do I arrange a Mediation Information and Assessment Meeting?

You contact an authorised family mediator to set up a Mediation Information and Assessment Meeting. They will invite you to attend a MIAM either separately or together. You can find an authorised family mediator by searching here: [www.familymediationcouncil.org.uk](http://www.familymediationcouncil.org.uk) or here: <http://find-legal-advice.justice.gov.uk>



## How much does it cost to go to a Mediation Information and Assessment Meeting?

Charges vary from service to service and often according to your annual income. When you phone a family mediator to arrange a Mediation Information and Assessment Meeting, ask about how much they charge and about legal aid. Some make no charge for the Mediation Information and Assessment Meeting itself but charge for completing the relevant section of form FM1.

Legal aid (help paying for legal advice) is available to pay for family mediation, depending on your financial circumstances. You can check if you are financially eligible for legal aid here: [www.gov.uk/check-legal-aid](http://www.gov.uk/check-legal-aid)

If either you or your ex is entitled to legal aid then the initial Mediation Information and Assessment Meeting, completing the relevant part of form FM1 and the first mediation session are free for both of you. After that, any further mediation sessions will only be free for the person who has legal aid. If you are the person who isn't eligible for legal aid, you will have to pay for any mediation sessions after the first one. You must take documents proving what your income is and what savings you have to the first meeting. The mediation service will explain what evidence they need to see in more detail, but if you are not clear what to take with you, don't hesitate to ring them and ask. Without this evidence you risk getting charged because the service won't be able to assess your eligibility for legal aid.

How to apply for a parental responsibility order

## How do I apply?

You start your application for a parental responsibility order by following the steps in this check list:

- Download forms C1 and FM1 or get paper copies from the court. Sometimes you may also need to complete form C1A and/or form C8. You can find links to these forms in the Forms and rules box on **page 15**.
- Read through the forms to find out what information they ask for – a large part of most form filling involves giving factual information.
- Collect any information you need, for example, a copy of a previous court order about the child(ren), before you start filling in the forms. This will help make the job a bit easier.
- Answer all the questions that apply to you.
- Fill in your contact details and all the contact details you have for the respondent(s).
- Sign and date the forms.
- Work out how many copies of the completed forms you need. You will need enough to provide one copy for the court and one for each respondent. You will also want to keep a copy for yourself. If you are not sure, ring the court and ask them.
- Make the required number of copies of the completed forms and any previous court orders about the child(ren).
- Attach the correct court fee or completed form EX 160 asking for help with fees to your application.
- Send or take your application and other documents together with the correct number of copies to your nearest family court. You can find the contact details and opening times of all courts at **<https://courtribunalfinder.service.gov.uk>**. Each court has a list of the areas of law it covers next to its name. You are looking for a court that includes 'Children' in this list.



## Top tips!

- You can fill in the C1 form either online (in which case if you don't complete the form all at one go, you can save what you have done and go back to it later) or by hand.
- If you complete the C1 form by hand, do it in pencil first. It makes it easier to change or take things out.
- You don't need to use long words and legal language in what you write. The best thing is to keep it short and simple. Stick to what is relevant and try not to repeat yourself.
- If your case ends up in court and you are going to need an interpreter and/or you have a disability and need help or special facilities, for example, a loop or signer, make sure you tell the court in the relevant section of form C1. The court should then contact you to find out more about your specific needs.

If you believe the child(ren) has suffered or is at risk of suffering domestic abuse, violence or harm then you must complete another form, form C1A (see the Forms and rules box). The form is called 'Allegations of harm and domestic violence'. An allegation is a claim that someone has done something wrong. The form asks for details about the kind of abuse that the child(ren) has experienced and what happened.

'Domestic violence or abuse' means any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members regardless of gender or sexuality. 'Harm' means ill treatment or damage to health and development, including, for example, damage suffered from seeing or hearing the ill treatment of another.

## Forms and rules

You can find form FM1 at <https://formfinder.hmctsformfinder.justice.gov.uk/fm001-eng.pdf>

You can find form C1 at <https://formfinder.hmctsformfinder.justice.gov.uk/c1-eng.pdf> and the Welsh/English version at <https://formfinder.hmctsformfinder.justice.gov.uk/c001-bil.pdf>

You can find form C1A at <https://formfinder.hmctsformfinder.justice.gov.uk/c001a-eng.pdf> And the Welsh/English version at <https://formfinder.hmctsformfinder.justice.gov.uk/c001a-bil.pdf>

The Confidential contact details form (Form C8) is at <https://formfinder.hmctsformfinder.justice.gov.uk/c008-eng-20160203.pdf> And the Welsh/English version at <https://formfinder.hmctsformfinder.justice.gov.uk/c008-bil.pdf>

You can find the court guidance about Mediation Information and Assessment Meetings (MIAMs) at [www.justice.gov.uk/courts/procedure-rules/family/practice\\_directions/pd\\_part\\_03a](http://www.justice.gov.uk/courts/procedure-rules/family/practice_directions/pd_part_03a)

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How to apply for a parental responsibility order

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For more information about making an application, see court leaflet CB1 at <https://formfinder.hmctsformfinder.justice.gov.uk/cb001-eng.pdf>

And the Welsh version at <https://formfinder.hmctsformfinder.justice.gov.uk/cb001-cym.pdf>

For more information about the court process, see court leaflet CB7 at <https://formfinder.hmctsformfinder.justice.gov.uk/cb007-eng.pdf>

And the Welsh version at <https://formfinder.hmctsformfinder.justice.gov.uk/cb7-cym.pdf>

This guide explains some of the words and expressions used in cases about children at <https://formfinder.hmctsformfinder.justice.gov.uk/cb006-eng.pdf>

## Rules about who you can communicate with about your case

There are rules about who you can communicate with about your case. Communication doesn't just mean talking to someone. It includes, for example:

- talking
- texting
- tweeting
- blogging
- messaging
- emailing
- posting information on a website or online forum
- posting information on Facebook – whatever your privacy settings
- via any other social media or online tool
- phoning
- publishing something in a newspaper, magazine or book
- writing and posting a letter.



The rules also mean that you can't ask someone else to do any of these things for you either. For more information about who you can communicate with about your case outside court, see: Can I talk about my case outside court? <https://formfinder.hmctsformfinder.justice.gov.uk/ex710-eng.pdf> and a Welsh version at <https://formfinder.hmctsformfinder.justice.gov.uk/ex710-cym.pdf>



## How much will it cost?

You usually have to pay a court fee when you apply for a parental responsibility order. For information about family court fees and when and how to pay them, see: <https://formfinder.hmctsformfinder.justice.gov.uk/ex50-eng.pdf>

In some circumstances you may not have to pay a court fee at all or you may get some money off and pay a reduced fee if you have a low income. For example, you will not pay anything if you can prove that you get Income Support, income-based Jobseeker's Allowance, Pension Credit guarantee credit, Universal Credit with gross annual earnings of less than £6,000, or income-related Employment and Support Allowance and your savings or other capital don't exceed certain limits.

You ask for help paying court fees by completing form EX160. You can find this form at <https://formfinder.hmctsformfinder.justice.gov.uk/ex160-eng.pdf> and a Welsh/English version at <https://formfinder.hmctsformfinder.justice.gov.uk/ex160-bil-2015.10.pdf> and notes to help you complete the form correctly at <https://formfinder.hmctsformfinder.justice.gov.uk/ex160a-eng.pdf> and a Welsh/English version at <https://formfinder.hmctsformfinder.justice.gov.uk/ex160a-bil.pdf>

You have to complete a separate application for each court fee you want reduced or cancelled. This may mean you have to complete this form more than once during your case. You can work out if you are likely to be eligible by using the online Fee Remissions Contribution Calculator (EX 160C). To find this calculator type 'EX160C' into the search box at: <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do>

Legal costs (often just referred to as 'costs') are what solicitors charge for the legal work they do. If you are not using a solicitor, your costs will be limited to any court fees and the cost of your own time and expenses like photocopying and travel. You should only have to pay your own costs (and not those of the respondent(s)) unless the court decides you have run your case unreasonably. That might include not doing what the court has ordered, failing to turn up for hearings, misleading the court or the respondent(s) or continue trying to make unreasonable arguments.

## What happens next?

Once the court has your application, it checks you have filled in the forms correctly, that you have attended a Mediation Information and Assessment Meeting (or that you are entitled to claim an exemption from attending) and included all other relevant documents. If you have, it will officially start your case (issue your application) and give your application a case number. You will know whether you have started your case successfully when the court sends you a Notice of proceedings. This tells you when and where your first meeting (hearing) with a judge or magistrates will take place. This date is usually about 4–6 weeks ahead.

The court also sends you the documents you need to send to the respondent(s).

How to apply for a parental responsibility order

## Top tips!

- Get organised!
- Write your case number on any letters, documents or forms you send to the court. This way they will get linked up with your case. The case number is how the court is able to identify all the papers in your case. You will find your case number on any letters or documents about this case that you have had from the court.
- If you have a hearing coming up make sure you write the date of the hearing clearly on anything you send to the court – that way the court will know how urgent it is.
- Keep copies of any letters you send, emails sent and received and original letters received as well as court papers in date order in a folder.



# Who do I have to tell about my application?

There are certain people who have to be given a copy of your application. Anyone in this position is called a 'Respondent'. In an application for a parental responsibility order, the respondents are everyone you believe has parental responsibility. This may just be the child's birth mother but in other circumstances could include a child's father, a second female parent or a step-parent.

If the child is subject to a care order then the respondents are everyone with parental responsibility and everyone you believe had parental responsibility immediately before the court made the care order. A care order is a court order which puts a child into the care of a local authority.

There are also other people – people who don't have parental responsibility – who you have to tell about your application for a parental responsibility order. So, for example, if the child is in the care of a local authority you have to tell them, if the child lives in a children's home or a refuge then you have to tell the organisation that runs it. You also have to tell everyone who cares for the child, for example, grandparents or other family members. You tell these people or organisations about your application by sending them a Form C6A which you will get from the court. You do not have to send them a copy of your application.

If you are not sure who should be a respondent, or who else you should tell about your application, phone the court office and ask.

You can find the court rules about who you have to tell here: [www.justice.gov.uk/courts/procedure-rules/family/parts/part\\_12#IDAY4Z5B](http://www.justice.gov.uk/courts/procedure-rules/family/parts/part_12#IDAY4Z5B)

## Who sends my application to the respondent(s)?

You must send each respondent a copy of your application form and the other documents the court provides. But the court will tell you when and how to do this.

The process of sending your application to the people who must see it or notifying those who must know about it is called 'service'.

There is more information about how to serve your application at <https://formfinder.hmctsformfinder.justice.gov.uk/cb003-eng.pdf> And a Welsh version at <https://formfinder.hmctsformfinder.justice.gov.uk/cb003-cym.pdf>

Who do I have to tell about my application?



# How to respond to an application for a parental responsibility order

So, you have been sent a copy of an application for a parental responsibility order. What do you do now?

Read through what you have been sent carefully. You should have at least 3 different forms:

- **Notice of proceedings (Form C6A)** – this tells you the date, time and place of the first court hearing.
- **Form C1** – this gives you information about the application.
- **Acknowledgement (Form C7)** – this is the form you use to tell the court that you have received the application. The legal term for this is ‘acknowledgement of service’.

There are instructions on Form C7 telling you what you need to do. It gives you space to reply (respond) to the application, asks for details about you (and your solicitor, if you have one), whether you disagree with the application, whether you want to apply for a court order yourself and if you think your children have suffered or could be at risk of suffering violence or harm.

If the applicant says that the children have suffered or are at risk of suffering domestic abuse, violence or harm you will also get another form, form C1A. This form is called ‘Allegations of harm and domestic violence’. There is a section at the back of this form for you to complete if you want to comment on the allegations. You may want to get legal advice about what to say on one or both of these forms (see **More help and advice** on **page 33**).

If the applicant has not filled in form C1A but you think the child(ren) have suffered or are at risk of suffering domestic abuse, violence or harm you should fill one in yourself and send it back to the court.

Once you have filled in form C7 (and C1A if necessary) take or send it to the court office. You should find the address of the court office on the forms you have been sent. You must do this within 14 days of the date when you were given the Notice of proceedings or of the postmark on the envelope if the Notice of proceedings was posted to you.

## Forms and rules

You can find form C7 at <https://formfinder.hmctsformfinder.justice.gov.uk/c007-eng.pdf>  
And the Welsh/English version at <https://formfinder.hmctsformfinder.justice.gov.uk/c007-bil.pdf>

You can find form C1A at <https://formfinder.hmctsformfinder.justice.gov.uk/c001a-eng.pdf>  
And the Welsh/English version at <https://formfinder.hmctsformfinder.justice.gov.uk/c001a-bil.pdf>



# The first hearing (the First Hearing Dispute Resolution Appointment)

In this section we explain what happens at the first court hearing.

## Before the first hearing

In some cases you may be told to do something before you go to court for the first hearing; if so you will receive an order from the court. (An 'order' is a decision of the court.) For example, you may have to attend a Mediation Information and Assessment Meeting if you have not been to one, and the court decides that you have wrongly claimed to be exempt.

## The first hearing

The first hearing usually takes place about 4–6 weeks after you start your case. You must attend. If you don't turn up, the court can refuse your application or go ahead without you. If the respondent does not turn up, the court can go ahead as long as it thinks the respondent knew about the hearing. If neither of you attend, the court may refuse your application.

The hearing usually lasts between 30 minutes and 1 hour. You will meet a judge or magistrates and (usually) a Cafcass officer (in Wales, a Welsh Family Proceedings Officer). They will want to be clear about what you agree on and where you disagree. They will try and help you find a solution. ('Cafcass' is short for Children and Family Court Advisory and Support Service. You can find information about Cafcass and CAFCASS Cymru in the box on **page 22**.)

The court will decide whether:

- your child should be involved in the proceedings, and if so how;
- it needs a report from Cafcass or CAFCASS Cymru or from the local authority (if a local authority has been involved in your family's life);
- it needs expert evidence, for example, from a child psychologist;
- you and the respondent(s) must prepare and file a statement,
- a fact finding hearing should take place. This is a special hearing to allow the court to decide whether there is any truth in the allegations of domestic violence or abuse made by either of you. This kind of hearing will happen if the court considers that the allegations (if true) would be likely to affect the court's final decision and there is no other way of dealing with the case properly.
- to postpone (adjourn) the case, for example, to allow a Mediation Information and Assessment Meeting to take place or the opportunity to attend mediation;
- to arrange a Dispute Resolution Appointment or a final hearing; or
- to make a final order.

The first  
hearing



If the court cannot make a final order, it will make an order for directions. This is a list of instructions telling you and the respondent(s) what to do and when, and is how the court manages the case to make sure it makes progress. Make sure you write these down for yourself so you know what you need to do next and any deadlines. If you are unclear about anything, check with the court.

If possible, the court will give you a copy of the order it makes before you leave the courtroom. If there are things in it you do not understand, say so, politely. You should know if there is going to be another hearing in your case and the date, time and location of that hearing before you leave the court. If you don't, ask.

## The Children and Family Court Advisory and Support Service (Cafcass or CAFCASS Cymru)

There are two of these services; one in England and one in Wales. The service in England is called 'Cafcass' which is short for the Children and Family Court Advisory and Support Service ([www.cafcass.gov.uk](http://www.cafcass.gov.uk)). In Wales the organisation is called CAFCASS Cymru (<http://wales.gov.uk/cafcasscymru/home/?lang=en>). Both organisations provide advice and support to help family courts and families make decisions in the best interests of children.

Cafcass have produced three videos to help families have a better understanding of who they are and what they do. You can see these here: [www.cafcass.gov.uk/leaflets-resources/our-videos.aspx](http://www.cafcass.gov.uk/leaflets-resources/our-videos.aspx)

A Cafcass officer (in Wales, a Welsh Family Proceedings Officer) – sometimes also called a Family Court Advisor – is a specialist social worker. The court will only inform Cafcass about your application for a parental responsibility order if there is work it wants Cafcass to do, for example, to write a report about your child's needs.

### The first hearing

## Who can come to the hearing?

The first hearing (and any later hearings in your case) will be held in private. This means that members of the public, friends and family members who are not respondents are not allowed into the actual court hearing. They will have to wait outside for you. However, that doesn't stop you bringing a friend or family member along to court with you for moral and practical support.

You can take someone into the hearing with you if you want them to act as your supporter but they will not be able to speak on your behalf. They will almost certainly need to tell the court who they are, and a little about themselves. They should have no involvement in the case. Tell the court as soon as possible if you want someone to take on this role. People who help litigants in person in this way are called McKenzie friends. You can find the guidance explaining what McKenzie friends can and cannot do at [www.judiciary.gov.uk/publications/mckenzie-friends](http://www.judiciary.gov.uk/publications/mckenzie-friends)

The court can ask your McKenzie friend to leave the room if they behave in a way that interferes with the court doing its job, for example, if they make loud comments.



## Frightened of meeting your ex at court?

If you are worried about meeting your ex at court because they have been violent or abusive to you in the past, phone the court and tell them this. Ask them to make arrangements for you to wait for the hearing in a safe place. When you arrive at court, ask security to show you where to go. You can also ask them to help you leave the court separately from your ex, perhaps via a different exit, after the hearing.

The Personal Support Unit has volunteers based in some courts who may be able to help, for example, by accompanying you to and from a hearing.

The first hearing

# Dispute Resolution Appointment

If you are unable to reach agreement at the first hearing, it may be that the court will postpone (adjourn) the case to get a Cafcass report on the children or to investigate allegations of domestic abuse. When this further information is available, the court may ask you to attend a Dispute Resolution Appointment. At this hearing the court will explore with you whether you and the respondent(s) can agree about parental responsibility, even at this late stage.

If you are unable to reach agreement, the court will order that the case is listed for a final hearing.

The court can do a number of things at a Dispute Resolution Appointment, for example:

- identify the key issue(s) that need to be decided and how far they can be sorted out at this hearing;
- consider whether your case can be dealt with and finished at this hearing;
- listen to the evidence as a way of resolving or narrowing down the areas of disagreement (the law calls these 'issues') between you;
- identify what evidence there is on the areas of disagreement which remain to be sorted out at the final hearing;
- give final case management directions. These can include instructions about what further evidence you must prepare, whether you must make a statement, and the date of the final hearing.



## Rules

For the relevant court rule on Dispute Resolution Appointments see para 19.1 at: [www.justice.gov.uk/courts/procedure-rules/family/practice\\_directions/pd\\_part\\_12b#para19.1](http://www.justice.gov.uk/courts/procedure-rules/family/practice_directions/pd_part_12b#para19.1)



# The final hearing

In this section we explain what a final hearing is, what happens in it and how to get ready for it.

The final hearing is when the court hears the evidence and makes a decision. But this only happens if you cannot reach an agreement yourselves. People often think that the judge or magistrates will run the hearing, ask the questions and unpick the evidence to get at the truth. They will help where they can (particularly if they think that you are struggling) but if it is your application, generally you have to be prepared to take the lead.

Courts vary in how they start a final hearing. The judge or magistrates may invite you to speak, or not. They may just expect you to start. If you are not sure what to do, just stand up and say something like, 'Would you like me to start now?' If you don't know their name, it is best to call a man 'Sir' and a woman 'Madam'.

In the room where the hearing takes place you sit in the front row. You usually stand up when you want to speak and sit down when someone else speaks. Sometimes hearings take place in rooms rather than in courts and you may not need to stand up when speaking. If in doubt about where you should sit, and whether to stand or sit when speaking, just ask the court.

You and the respondent will each have a chance to tell your story (the law calls this 'giving evidence'). You will have to make a formal promise to the court to tell the truth (the law calls this 'take an oath' or 'affirm'). Whoever is the applicant goes first and the respondent second. If the respondent is represented by a lawyer, then the lawyer will get them to tell their story by asking them questions. When they finish telling their story, you will usually get the chance to ask them questions. If the court thinks

that your ex is a victim of abuse you might not be allowed to ask questions yourself. The court may ask you to write down your questions or find some other way of putting them to your ex. In any event the court will probably help by asking questions where necessary.



When you ask questions, make sure they are questions and not speeches.

When you finish telling your story, the judge or magistrates (or the respondent's lawyer if they have one) can ask you questions. When someone asks you a question listen to it carefully and answer the question you are being asked. If you don't understand the question, say so and ask for it to be put in a different way.

If Cafcass or CAFcass Cymru has prepared a report, the author of the report usually attends court for the final hearing. This will give you, the respondent and the court an opportunity to ask them questions about what the report says and the recommendations.

The court decides whether to make a parental responsibility order and explains the reasons for the decision. Sometimes this will not happen on the same day as the full hearing because the court needs more time to think about your case. In this situation you will be asked to come back to court another day. You won't have to wait too long, maybe another few weeks.

The final hearing

## What does the court take into account when making a decision?

The law explains what the court needs to take into account when making a decision about whether to grant a parental responsibility order. The court will consider the child's welfare above all else. You may hear lawyers call this the 'paramount consideration' test. This is about trying to decide, sometimes in difficult circumstances, what is in the child's best interests.

In practice the court will think about things like:

- the degree of commitment you have shown towards the child,
- how close you and the child are, and
- your reasons for applying for a parental responsibility order.

If you are the child's biological dad and can show commitment, a close relationship and proper reasons for applying, the court will usually grant you parental responsibility. If you are the child's mum, you need to consider carefully whether to object to parental responsibility if the dad can show those three things.



If you don't turn up to the hearing, perhaps because you are feeling sick with nerves, it will usually still go ahead. To avoid this, try and get a friend to go with you. If you don't go, it is likely that you will lose your case. If you have a good reason for not being able to get to court, it is really important that you phone the court office and ask them to get a message to the judge or magistrates explaining the reason. They will then know that you are not simply avoiding the hearing. If you are genuinely too ill to attend court, you will usually have to provide a letter from your doctor to confirm this.

## What do I have to do to get ready for the hearing?

- Make sure you have done everything the court has asked you to do.
- Make sure you have sent all the documents you were asked to send to the court.
- Make a note of what you want to say at the hearing so that you can refer to it. This will help you not to forget anything. You may think that what you want to say on the day will just occur to you at the time. But you cannot rely on this.
- Think about and plan the questions you want to ask.
- Get your papers organised.

## Top tips!

- You don't have to speak in legal language or long words – use plain English.
- Ask questions if you feel unsure about what is going on.
- The judge or magistrates are not 'for' or 'against' you; that is not their job. They will usually help or prompt you when necessary.
- Take notes of what the other person says. There may be a point you disagree with and having notes will help you to argue your case more convincingly.
- Take someone else with you to take notes for you when you are speaking. There will be times when you can't do both.
- In some courts a volunteer from the Personal Support Unit may be able to come with you.
- Take notes of the court's order at the end.
- Ask what the order means if you don't understand it.



The final hearing

# The process in pictures

Have a look at our route map. It is designed to give you an overall picture of what is involved in a typical application for a parental responsibility order. Even though your case may be different, we hope it makes the process seem a bit less daunting.

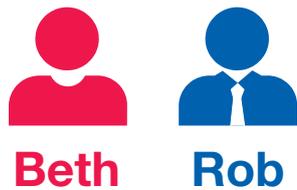
You will come across lots of new technical words. This is the jargon that lawyers and court staff use. We think there's no getting around it; you have to understand what it means too.

In the route map, we have put all the jargon in **red**. We then explain these words the first time they appear. Follow

the arrow to find out what they mean. You can also find them in **What does the legal jargon mean?**

The story so far.... Rob and Beth have 2 children; one is 7 years old and the other is 5. Rob and Beth no longer live together and never married. Rob's name is not on the children's birth certificates. The children live with Beth and see their Dad regularly. Rob asked Beth to make a parental responsibility agreement but she refused.

This is a step by step description of how Rob applies for a parental responsibility order.



**START**

For information about how to find a family mediator, see page 33.

**1** Rob finds a family mediator, asks about their charges and arranges a Mediation Information and Assessment Meeting with them.



For information about Mediation Information and Assessment Meetings, see page 12.

**2** The mediator invites both Beth and Rob to attend this meeting but Beth refuses to go. At the end of the meeting the mediator fills in the **FM1** form and gives it to Rob.



The form that confirms you have attended a Mediation Information and Assessment Meeting or that you don't have to do this.

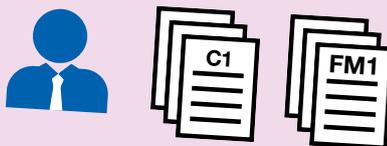
The process in pictures

**3** Rob fills in the **C1** form as fully as possible and signs and dates it.



The application form that starts the process of asking for a parental responsibility order.

**4** Rob makes 2 photocopies of the completed **C1** and **FM1** forms.



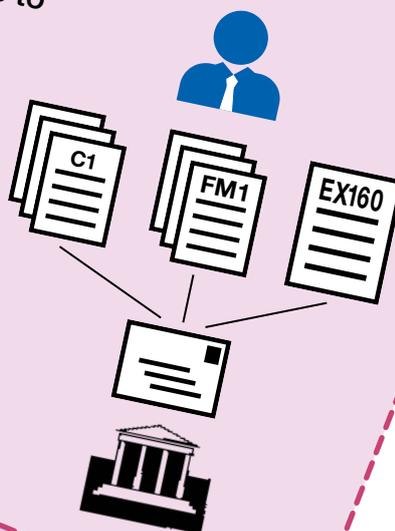
**5** Rob checks whether the family court charges a fee for this kind of application. He fills in form **EX160** to apply for help with fees.



The form you use to apply for help paying a court fee. For information about this form and where to find it, see page 17.

**6** Rob sends these documents to the family court:

- the completed **C1** form and 2 copies,
- the completed **FM1** form and 2 copies, and
- the completed form **EX160**.



The process in pictures

Officially start court proceedings

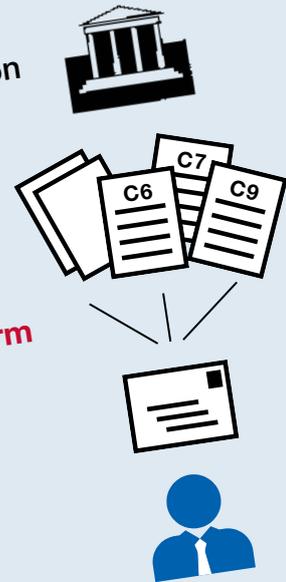
This tells you when and where the first hearing will take place.

This is the form someone receiving the application uses to tell the court whether or not they object to it.

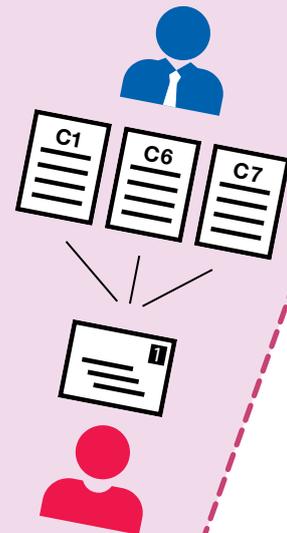
This is the form Rob uses to tell the court when he sent his application to Beth.

**7** The court **issues** the application and returns copies of his application to Rob together with:

- a **Notice of proceedings form (Form C6 or C6A)**,
- an **Acknowledgement form (Form C7)** and
- a **Statement of Service form (C9)**.



**8** Rob sends a copy of the **C1** form together with a **Notice of proceedings form**, and **Acknowledgement form** by 1st class post to Beth.



**9** Rob fills in the **Statement of Service form (C9)**, makes a copy for himself and sends the original to the court.



The process in pictures

**10** Rob and Beth go to the family court for the **First Hearing Dispute Resolution Appointment (FHDRA)**.

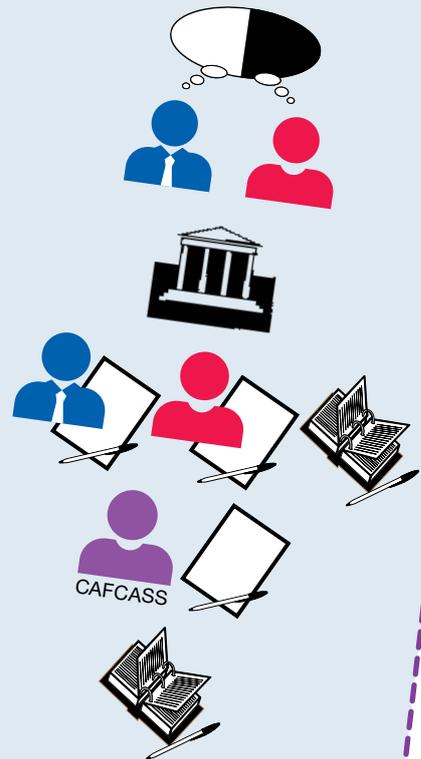


The first meeting where a judge or magistrates and (usually) a Cafcass officer (in Wales, a Welsh Family Proceedings Officer) will talk to both of you about what it is you cannot agree about.

These are instructions for how a case will be dealt with.

This is a written summary of the background to the disagreement, any recent events that have caused the court application and your view about what should happen in the future. You can find a template to help you write one at <https://formfinder.hmctsformfinder.justice.gov.uk/c120-eng.pdf>

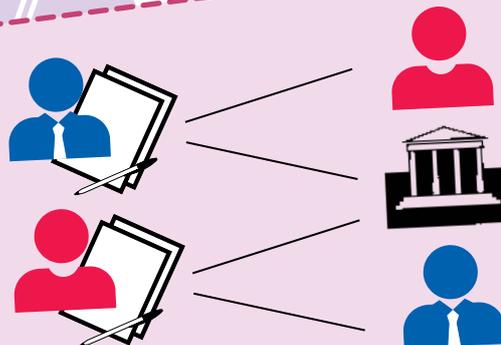
**11** Rob and Beth can't agree that Rob should have parental responsibility and so the court makes **directions** instead. The court tells both Rob and Beth to write a **statement** setting out their views and gives them a deadline for doing this. The court also asks the **Cafcass officer** to prepare a report and make a recommendation. The court fixes a date for the next hearing which will be a **Dispute Resolution Appointment**.



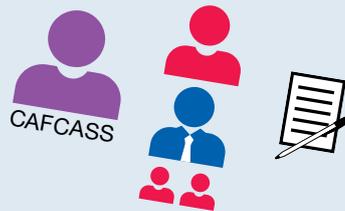
A court hearing which takes place towards the end of the court's involvement in your case. It gives you another opportunity to see if you can sort out your disagreement with the help of a judge or magistrates.

The process in pictures

**12** Rob and Beth write their **statements** and send them to the court and a copy to each other in good time before the deadline.



**13** The **Cafcass officer** visits Rob and Beth separately, meets the children and writes a report recommending that Rob has parental responsibility.



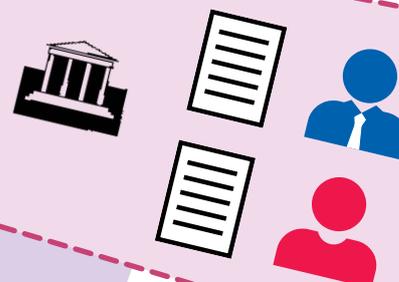
**14** At the **Dispute Resolution Appointment** the court explains to Beth that the Cafcass report recommends that Rob should have parental responsibility. The court encourages Beth to agree the report's recommendation. Beth agrees.



**15** The court makes a parental responsibility order in Rob's favour.



**16** The court gives Beth and Rob a copy of the order before they leave court.



**FINISH**

The process in pictures

# More help and advice

## How to find a family mediator

Ask friends and family for a recommendation or your solicitor if you have one. Or use the family mediator finder service provided here: [www.familymediationcouncil.org.uk](http://www.familymediationcouncil.org.uk). It is fine to phone around, ask how much they charge and compare prices.

## How to find a legal advisor

Ask friends and family for a recommendation. You can also search here:

- [www.gov.uk/find-a-legal-adviser](http://www.gov.uk/find-a-legal-adviser)
- <http://solicitors.lawsociety.org.uk>
- [www.resolution.org.uk/findamember](http://www.resolution.org.uk/findamember)

The Royal Courts of Justice Advice Bureau may be able to help you if you:

- live in England or Wales,
- have a case in the Family Court, High Court or Court of Appeal, **and**
- are not already represented by a solicitor or barrister.

To book an appointment to see a solicitor please see [www.rcjadvise.org.uk](http://www.rcjadvise.org.uk) for latest appointment details.

## Paying for legal advice

Legal aid (a government scheme to help people pay for legal advice and representation) may be available to help you apply for a parental responsibility order if you can prove you have suffered domestic abuse or the child is at risk of abuse from the respondent and you are financially eligible. For further information about legal aid, see: <https://www.gov.uk/legal-aid/overview>

More and more lawyers are offering a wider range of products and services than in the past. These include:

- **Free or low cost initial telephone consultations.**
- **Pay as you go advice** – where you pay for the advice you receive at the time you get it. This can be helpful if you don't mind doing some of the paperwork and admin involved yourself.
- **Fixed fees** – where you agree in advance what you are buying and what you are paying for the services you want to buy. This usually applies to longer pieces of work.

It is okay to shop around and compare prices. Look carefully at what is and is not included to make sure you buy the right service for you.

## Help at court

Court staff may be able to explain court procedures and help you find a court form. They are not able to give you legal advice. You can also search for court forms in English at <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do> and in Welsh at <http://hmctsformfinder.justice.gov.uk/HMCTS/WelshFormFinder.do>

The Personal Support Unit (PSU) supports people going through the court process without a lawyer. Volunteers offer a free and confidential service. PSU aims to help you manage your own case yourself. PSU does not give legal advice or act on your behalf, but can offer practical help such as going to your hearing with you and help completing and filing your forms. For more information as well as the location and contact information for your nearest PSU, please visit [www.thepsu.org](http://www.thepsu.org).

More help  
and advice

## Domestic violence and abuse

For support or to discuss your options you can call the National Domestic Violence Helpline [www.nationaldomesticviolencehelpline.org.uk](http://www.nationaldomesticviolencehelpline.org.uk) on **0808 2000 247** or in Wales, Live Fear Free <http://livefearfree.gov.wales/splash?orig=> on **0808 80 10 800**.

Both help lines are open 24 hours and are for anyone who is experiencing, or has experienced domestic abuse, or for anyone who is worried about domestic abuse happening to a friend, family member or colleague. It is free, confidential and the number will not show up on a BT telephone bill.

If you are a man and you or your children are affected by domestic violence or abuse you can contact the Men's Advice Line [www.mensadvice.org.uk](http://www.mensadvice.org.uk): **0808 801 0327**

### Always dial 999 in an emergency.

The National Centre for Domestic Violence [www.ncdv.org.uk](http://www.ncdv.org.uk) provides a free, emergency injunction service to survivors of domestic violence regardless of their financial circumstances, race, gender or sexual orientation. You can contact them on: **0800 970 2070**. Alternatively you can text: NCDV to **60777** and they will call you back.

The DYN project [www.dynwales.org](http://www.dynwales.org) provides support to men who are experiencing Domestic abuse from a partner.

Refuge <http://refuge.org.uk>

Welsh Women's Aid  
[www.welshwomensaid.org.uk](http://www.welshwomensaid.org.uk)

## More information



A survival guide to using Family Mediation after a break up: [www.advicenow.org.uk/guides/survival-guide-using-family-mediation-after-break](http://www.advicenow.org.uk/guides/survival-guide-using-family-mediation-after-break)

A survival guide to sorting out arrangements for your children: [www.advicenow.org.uk/guides/survival-guide-sorting-out-arrangements-your-children](http://www.advicenow.org.uk/guides/survival-guide-sorting-out-arrangements-your-children)

Representing yourself in family court: [www.advicenow.org.uk/guides/representing-yourself-family-court-film](http://www.advicenow.org.uk/guides/representing-yourself-family-court-film)

This short film looks at how to represent yourself in court about a family problem if you do not have a lawyer. It deals with the things you may be worrying about and shows you simple tips that will help you put your side as well as you can.

A Guide to Representing Yourself in Court: [www.barcouncil.org.uk/media/203109/srl\\_guide\\_final\\_for\\_online\\_use.pdf](http://www.barcouncil.org.uk/media/203109/srl_guide_final_for_online_use.pdf)

Your first time at court? What you can expect at <https://formfinder.hmctsformfinder.justice.gov.uk/ex370-eng.pdf>  
<https://formfinder.hmctsformfinder.justice.gov.uk/ex370-bil.pdf>

Coming to a court hearing? Some things you should know at <https://formfinder.hmctsformfinder.justice.gov.uk/ex342-eng.pdf>

More help and advice

# What does it mean?

**Acknowledgement form (Form C7)** – the form a respondent uses to tell the court that they have received the application and whether or not they object to it.

**Allegation** – a claim that someone has done something wrong.

**Applicant** – the name given to someone who applies to a court for a court order.

**Application** – how you ask a court to do something.

**C1** – the application form that starts the process of asking for a parental responsibility order.

**Cafcass** – the Children and Family Court Advisory and Support Service. Cafcass operates in England.

**CAFCASS Cymru** – the Children and Family Court Advisory and Support Service Cymru. CAFCASS Cymru operates in Wales.

**Cafcass officers (sometimes also called family court advisors)** – are specialist social workers whose job is to help parents reach an agreement (where possible) and write reports for the court about the needs of children.

**Civil partners** – same sex couples that have entered into a civil partnership.

**Cohabitants** – opposite and same sex couples who live together and are neither married, nor civil partners.

**Confidential contact details Form C8** – The form you fill in if you don't want to reveal your contact details (your address, telephone number, email address) or the contact details of your child or children. Form C8 is just for the court – so they know where you are and how to get hold of you. The information you give on it will be kept secret unless the court orders differently.

**Court order** – an official decision by a court. In certain circumstances, courts can impose penalties if court orders are disobeyed.

**Directions** – instructions about how a case will be dealt with.

(continued)

What does the legal jargon mean?

**Dispute resolution** – this refers to ways of sorting out disagreements without going to court. It includes methods such as mediation and arbitration.

**Dispute Resolution Appointment (DRA)** – this is a court hearing which takes place towards the end of the court's involvement in your case. It gives you another opportunity to see if you can sort out your disagreement with the help of the court.

**EX160** – the form you use to apply for help paying a court fee.

**File** – take or send legal forms or documents to a court.

**First Hearing Dispute Resolution Appointment (FHDRA)** – the court hearing which takes place at the beginning of the court's involvement in your case.

**FM1** – the form that confirms you have attended a Mediation and Information Assessment Meeting or that you don't have to do this.

**Hearing** – the name given to a meeting with a judge or magistrates.

**Issue** – officially start court proceedings.

**Litigant in person** – this is what the law calls you if you represent yourself in court proceedings without the help of a solicitor or barrister.

**Notice** – a notice is a bit like a letter. They are the way courts tell you what is going on and what you need to do next.

**Notice of proceedings** – this tells you that a court case has started and when and where your first court hearing will take place.

**Order for directions** – this is a list of instructions telling you what to do and when.

**Parental responsibility** – all the rights and duties that go with being a parent.

**Parental responsibility order** – a court order that gives someone the legal rights and responsibilities of a parent.

**Party** – a person or group of people on one side in a dispute.

**Proceedings** – court action taken to settle a dispute.

**Respondent** – this is the name given to the person or people you have to give a copy of your application for a court order. A respondent can then respond to your application.

(continued)

What does the legal jargon mean?

**Serve** – delivery of court documents, usually by post. In some circumstances, the courts also allow delivery by email.

**Statement** – a written summary of the background to the disagreement, any recent events that have caused the court application and your view about what should happen in the future.

**Statement of Service form (C9)** – the form you use to tell the court when you sent your application to the respondent(s).

**Welsh Family Proceedings Officers** – are specialist social workers. Their job is to help parents reach an agreement (where possible) and write reports for the court about the needs of children.

What does  
the legal  
jargon mean?

The information in this guide applies to England and Wales only. The law may be different if you live in Scotland or Northern Ireland.

The law is complicated. We have simplified things in this guide. Please don't rely on this guide as a complete statement of the law. We recommend you try and get advice from the sources we have suggested.

The cases we refer to are not always real but show a typical situation. We have included them to help you think about how to deal with your own situation.

**advice**now.org.uk

If you would like this guide in another format please email [guides@lawforlife.org.uk](mailto:guides@lawforlife.org.uk)

This guide was written and produced by Law for Life's Advicenow project. We would like to thank all those who provided feedback on this guide.

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