

How to

Get parental responsibility without a lawyer

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About this guide

This guide is for you if you are a parent or stepparent 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 Support Through Court volunteers, CAB volunteers, support workers, and advice workers 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 in our guide called [How to apply for a child arrangements order](#).

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

This guide is for you if 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 mean 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.



How to use the links in this guide

If you are reading a digital version of this guide you can simply click on the links in the text to get to other useful websites. These links are underlined and coloured light blue.

If you are reading a printed version of the guide, we tell you which words you need to search for online so that the website should be the first one to come up in the list of results. If the link is just to a name of an organisation for example, the 'Family Mediation Council' you just need to use the name to search online.

Contents

Parental responsibility – what is it and why is it important?	4
Working out if you have parental responsibility	6
How to make a parental responsibility agreement with a child's mum	10
How to apply for a parental responsibility order	12
Who you need to tell about your application	19
What to do if you have been sent an application for a parental responsibility order	20
Before the first hearing	22
The first hearing (the First Hearing Dispute Resolution Appointment)	23
Dispute Resolution Appointment	27
The final hearing	28
The process	31
More help and advice	37
What does it mean?	41

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 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.

It means you'll be able to do things like:

- consent to medical treatment for them,
- apply for a passport for them,
- look after any property they are entitled to until their 18th birthday.

Having parental responsibility will also strengthen your position as a parent if the local authority asks the court for a care order in relation to your child.

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.

It is important to understand that delegated parental responsibility can be time-limited, which means it can only be used for a set time and then it ends. Or it can be limited to just permit someone to do a certain thing, like take your child on holiday. Be aware that delegated parental responsibility can be removed at any time by the person who delegated it.

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. 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.

Working out if you have parental responsibility

Working out if you have parental responsibility

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 you are 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 as long as no other man has already been named on the certificate and if the mother agrees, 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, although this would not give you PR while she was alive or there was someone else with PR, 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. This is a formal statement by the court that you are the child's father. You apply for declaration of parentage using [Form C63](#).

If you get this declaration, the court must tell the General Registrar Office. Then, the Register General will decide if the birth should be re-registered. You won't receive a new registration. Instead the original document will have a note added to it to recognise the declaration of parentage.



Working out
if you have
parental
responsibility

Married dads

If you are married to your child's mum, or in a civil partnership together, 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 only 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.

Stepparents

As a stepparent 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 stepparents (in both opposite sex and same-sex couples) and stepparents 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.

If you live together with your partner and their children but you are not married or in a civil partnership

If your partner has children and you would like parental responsibility for them but you are not married or in a civil partnership, the only ways to do this are:

- to adopt your partner's children, which would have the effect of their other parent ceasing to be a parent, and so may be strongly opposed; or
- to ask the court to make an order that the children live with you and your partner (a joint order). This would give you parental responsibility while the order is in force.

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 stepparent.

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](#).



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 maintenance? Richard

Parental responsibility and child maintenance 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 or spend any time with them.

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 this in our guide [How to apply for a child arrangements order](#).

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.



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 stepparent 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 or an order that she lives with you and your partner.

Another option would be for you to adopt her. Legally this would make her your daughter in all respects. But this would legally end the mother's status as the mother and cause her to become a legal stranger to her child so this could be strongly opposed by her.



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

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

Unmarried dads, married stepparents, stepparents in a civil partnership and second female parents have the option of making a parental responsibility agreement. If you fall into one of these categories and the other adult (or adults) with parental responsibility agree, you can make an agreement by following the steps below. This way you can avoid going to court.

If the other parent or parents are not sure about making a parental responsibility agreement

You could suggest you try mediation. You may be able to see a mediator for free, through [legal aid](#), or through the [mediation voucher scheme](#).

If you do end up needing to apply to court, the judge will usually need to know what efforts you have made to reach agreement to avoid court.

There are different methods of reaching agreement out of court. Family lawyers often call these methods 'non-court dispute resolution'. Mediation tends to be the cheapest method, thanks to legal aid and the mediation voucher scheme. We explain more about these in the [next section](#).

1 Start by finding the correct form for your situation. Click on the link below or search the name of the form online and go to the GOV.UK link:

- Dads need form [C\(PRA1\)](#).
- Stepparents (married or in a civil partnership to the other parent) need form [C\(PRA2\)](#).
- Second female parents need form [C\(PRA3\)](#).

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 by searching '[Find a court or tribunal](#)' online.



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

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 Search '[Order a copy of a birth, death or marriage certificate](#)' online.

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 together with a copy of the child's full birth certificate 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

How to apply for a parental responsibility order

If your child's mum or stepchild'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](#).



Before you can apply to court

The court expects parents to try and reach agreements on how they raise their children, including issues about who has parental responsibility.

Before you can apply to court you need to take steps to try and reach agreement with the other parent or parents of the child you would like to get parental responsibility for. There are various different ways you can do this.

If you cannot reach agreement by speaking to each other or with the help of family or friends, you cannot just go straight to court for an order. Instead, the court expects you to try another way to resolve your dispute. Family lawyers often call this non-court dispute resolution or NCDR for short.

The methods of non-court dispute resolution that the court recognises are:

- mediation,
- a process called the 'collaborative law approach' where you both (or all) have solicitors and come together in the same room to negotiate and reach agreement,
- neutral evaluation where a single experienced family lawyer gives their opinion on how the court would decide what should happen in your dispute, or
- arbitration (like having a private judge).

The cheapest of these options is likely to be mediation, especially if you can get legal aid to mediate or access a mediation voucher. We explain more about these next.



How to
apply for
a parental
responsibility
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Mediation Information and Assessment Meetings (MIAMs)

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.

A MIAM is **not** mediation. It is a meeting to help you understand more about mediation and the other options available to you to reach an agreement out of court. Mediation can help but there are other options to think about too.

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.

For more information about how a MIAM works, the situations when you don't have to attend a MIAM, how to arrange a MIAM, and the likely costs take a look at our guide to [Family mediation](#). At the MIAM the mediator will help you work out if you can get a mediation voucher to help pay for mediation.

If you are not able to reach an agreement in any of the ways we talk about above, or a mediator says your case is not suitable for mediation then you can go on to make an application to the family court for a parental responsibility order. We explain how to do this next.

How to apply for a parental responsibility order

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 your nearest court. Sometimes you may also need to complete form [C1A](#) and/or form C8.
- 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, 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 other people who need to be told about your application. The court calls these people '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, one copy for [Cafcass](#), and one for each respondent. You will also want to keep a copy for yourself. For more help on who the respondents are see the section called [Who you need to tell about your application](#) on [page 19](#).
- Make the required number of copies of the completed forms and any previous court orders about the child.
- Attach the correct fee or fill in the [Help with fees form](#). For more on the costs involved go to the section called [How much will it cost?](#) on [page 17](#).
- Send or take your application and other documents together with the correct number of copies to your nearest family court. To find your nearest family court, search '[Find a court or tribunal](#)' online.



Top tips!

- You can download and save the C1 form so that you can take your time filling it in or you can print it and fill it in by hand. If you don't have a computer or printer at home you can go to your local library for help.
- 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 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. You can find this by searching '[C1A form](#)' online. 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.

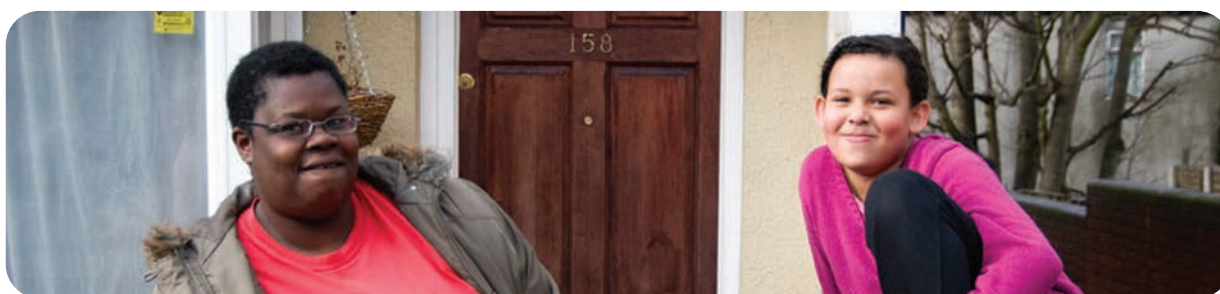
Domestic violence or abuse means any abusive behaviour by one person towards another person, where those two people are in an intimate relationship or are relatives.

The abuse can be:

- physical or sexual,
- violent or threatening behaviour,
- controlling or coercive behaviour,
- economic,
- psychological or emotional.

If you think you may be in an abusive relationship, take a look at the section called [More help and advice](#) for places to get support.

How to apply for a parental responsibility order





To find any of the forms or guidance listed here just click on the name of the form. If you are reading a printed version of the guide, use the name to search online and it will come up at the top of the search results.

[C1 form](#) – application form to apply for a parental responsibility order.

[FM1 form](#) – to tell the court about your Mediation Information and Assessment Meeting.

[C1A form](#) – to tell the court about any domestic abuse or harm to the child or you.

[C8 form](#) – to ask the court to keep your contact and address details private from the other people in the case.

You might find court guidance useful.

[CB1](#) – This is court guidance on what to expect if you apply to the family court and which orders you can apply for.

[CB7](#) – This is court guidance for separated parents involved in the family court.

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
- videoing
- 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, search online for '[Can I talk about my case outside court?](#)'

How to apply for a parental responsibility order



How much will it cost?

You usually have to pay a court fee when you apply for a parental responsibility order. The fee for this application is £255, but fees do change so you should check this is right when you apply by searching '[Fees in the civil and family courts – EX50](#)' online.

You can pay using cash, cheque, debit or credit card at a court building or by cheque if you send your application by post. The cheque needs to be payable to 'HMCTS'.

If you are on a low income or receiving certain benefits you may only have to pay some of the fee or you may not have to pay it at all. To find out more about this search for '[Get help with court fees](#)' online. This takes you to the GOV.UK page where you can either apply online or find the paper form you need.

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, unreasonably refusing to take part in non-court dispute resolution, misleading the court or the respondent(s) or continuing to make unreasonable arguments.

Applying for parental responsibility if you are already applying for another court order

Often, people apply for parental responsibility when they are already applying for another order from the court, for example if they have applied for an order to spend time with their child, often known as a 'contact order'.

If you find yourself in this position, you may not need to make a formal application (with the forms and court fee). Instead, you may just be able to ask the judge to make a parental responsibility order at the same time. Some judges will expect you to make a formal application. You can do this using a [C2 form](#). This is the form you need to use for any application you make within court proceedings that have already started and are still going on. The court fee for an application made within proceedings is £184.

What happens next?

Once the court has your application, it checks that:

- you have filled in the forms correctly,
- you have attended a Mediation Information and Assessment Meeting (or that you are entitled to claim an exemption from attending), and,
- you included all other relevant documents.

If you have done all these things, it will officially start your case and give your application a case number. This is called issuing your application.

How to apply for a parental responsibility order

You will know that you have started your case successfully when the court sends you a Notice of proceedings. This document is like a letter and 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, but you may have to wait longer as the family court has big backlogs of cases currently.

The court also sends you other documents. We will talk more about these in the next section.

How to
apply for
a parental
responsibility
order

Top tips!

- Get organised!
- Write your case number on any letters, emails, 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 you need to tell about your 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 stepparent.

If the child is subject to a care order this means there is a court order in place which puts the child in the care of the local authority. In this situation, the respondents are everyone with parental responsibility and everyone you believe had parental responsibility immediately before the court made the care order.

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, you can ask your local [family court](#).

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 sends to you. The court will include instructions with the paperwork to 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'.

You will need to send each respondent:

- A copy of your application
- C6 Form – Notice of hearing – this is the letter that tells everyone when the first hearing will be and where.
- C7 Form – Acknowledgement of service form – this is the form that the respondent(s) has to fill in and send to the court to say they know about your application.
- C6A Form – you may need to send this to certain people too, if for example, the local authority is looking after the child, the child is living with other relatives or in a refuge.

When you have sent all the paperwork to the respondent(s) and any other people who need to know about your application you need to tell the court you have done this.

You do this by using the C9 Form, which is also called a 'certificate of service' form, which the court will send to you with the other paperwork. In this form you need to list who you sent it to, the date you sent it and how you sent it, for example by first class post.

Who you need to tell about your application

What to do if you have been sent an application for a parental responsibility order

If you have been sent an application for a parental responsibility order, the court calls you a 'respondent'. You need to read this section to find out what to do next. If you are the one applying for the order you can skip this section and go on to the section called [Before the first hearing](#).

Step 1

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

- Notice of proceedings (Form C6) – 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'.

Step 2

There are instructions on Form C7 telling you what you need to do. It 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 the child who the application is about has 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 37](#)).

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.

Step 3

Once you have filled in form C7 (and C1A if necessary) take or send it to the court dealing with the application. You should find the address of the court 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.

What to do if you have been sent an application for a parental responsibility order

Before the first hearing

Before the date of the first hearing, you will usually be asked to fill in one more form. This form is called the [FM5 form](#). If you are asked to fill this in, you need to send or take this form to the court at least seven days before the first hearing.

However, if you are [exempt from going to a MIAM meeting](#) you should not have to fill in this form.

In this form, the court asks for information about what efforts you have made to reach an agreement out of court with the person who has made the application. There are different methods you can use to try and reach an agreement out of court – lawyers call this non-court dispute resolution.

The methods the court recognises are:

- mediation,
- a process called the ‘collaborative approach’ where you both (or all) have solicitors and come together in the same room to negotiate and reach agreement,
- neutral evaluation where a single experienced family lawyer gives their opinion on how the court would decide what should happen in your dispute, or
- arbitration (like having a private judge).

The court expects you to try one or more of these methods and have good reasons as to why they have not worked in your situation. One method might suit your case better than another.

If you are on a low income and cannot afford to instruct a collaborative lawyer, arbitrator or neutral evaluator you can explain this to the court.

Forms and rules



To find any of the forms or guidance listed here just click on the name of the form. If you are reading a printed version of the guide, use the name to search online and it will come up at the top of the search results.

[C7 form](#) – this is also called an acknowledgement of service form. Use this form to tell the court you have received the application and you know about the hearing.

[C1A form](#) – to tell the court about any domestic abuse or harm to the child or you.

[FM5 form](#) – this is a form about the efforts you and the other person have made to reach an agreement out of court.

You might find court guidance useful.

[CB1](#) – This is court guidance on what to expect if you apply to the family court and which orders you can apply for.

[CB7](#) – This is court guidance for separated parents involved in the family court.

What to do if you have been sent an application for a parental responsibility order



Before the first hearing

No less than **seven** days before the first hearing you will usually need to fill out one more form, called the [FM5 form](#). However, if you were exempt from going to a MIAM meeting you don't need to do this form.

In this form, the court asks for information about what efforts you have made to reach an agreement. You need to send this form to the court and to the respondent(s). They need to do their own version of this form and send it to the court and to you.

For a reminder of what non-court dispute resolution is and what the court expects, take another look at [Before you can apply to court](#) in the section called [How to apply for a parental responsibility order](#).



Before
the first
hearing

The first hearing (the First Hearing Dispute Resolution Appointment)

If you are going to court without the help of a lawyer take a look at [Going to court when the other side has a lawyer and you don't](#).

If you know your hearing is going to take place via video or phone call take a look at [Court and tribunal hearings by video or phone call](#).

In this section we explain what happens at the first court hearing. Some of the steps below may not be necessary if:

- you can reach agreement on some issues, or,
- you are applying for parental responsibility alongside another application, such as for contact, and the steps have already been taken.

In some cases you may be told to do something before you go to court for the first hearing. If this happens, the court will send you an order setting out what it expects you to do. 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

If you have never been to court before (or even if you have) it is natural to feel nervous. It is particularly nerve-racking to go to court about a problem that is personal and important to you – like in this type of case – about your child or children.

We have a helpful video about [going to the family court](#) so that you can feel more prepared and hopefully less nervous.

The practicalities

The first hearing usually takes place about 4–6 weeks after you start your case, but in some areas of the country there are a lot of backlogs so you may have to wait a lot longer. 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 they 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 CAF/CASS Cymru in the box on [page 25](#).)

The first hearing

If the hearing takes place by video or phone call you will be sent a link by email beforehand to join the hearing at a set time. For more help on this, be sure to read our guide [Court and tribunal hearings by video or phone call](#).

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 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.



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. This is the way the court manages the case so decisions for children involved are made promptly. 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.

Staffing issues may mean that you cannot leave with a copy of the order. If this happens it will be sent to you in the post or by email. In this situation, it is even more important that you write down what you need to do as it might take a while for the order to get to you.

If the hearing is by video or phone call you can still ask about the details of the next hearing and make a note of them. You will then get the order by email at a later date.

The first hearing

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. In Wales the organisation is called '[CAFCASS Cymru](#)'. Both organisations provide advice and support to help the family court and families make decisions in the best interests of children. A Cafcass officer (in Wales, a Welsh Family Proceedings Officer) – sometimes also called a Family Court Advisor – is a specialist social worker.

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 are not allowed into the actual court hearing. Aside from lawyers, the only people who are usually allowed in the hearing are you (known as the applicant) and the person or people who need to respond to the application – this could be the child's mother, other parent or stepparent.

You can bring a friend or family member to the court building for moral and practical support but they will need to wait for you in the waiting area when the hearing starts.

You can ask the court if 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. The judge will then decide if the person you have asked to join, can do so.

People who help litigants in person in this way are called McKenzie friends. You can find guidance explaining what McKenzie friends can and cannot do for '[Courts and Tribunals Judiciary McKenzie friends](#)' online. We also explain more about McKenzie friends in [Going to court when the other side has a lawyer and you don't](#).

Be aware that 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.

If you are a victim of domestic abuse or at risk of domestic abuse, you are allowed to have the support of an independent domestic abuse adviser (IDVA) or an independent sexual violence adviser (ISVA) in the hearing – in a court building or at a hearing that takes place by video or phone call.

Hearings by video or phone call

The rules are the same if the hearing takes place remotely, by video or phone call. No-one else should be present in the room with you when the hearing begins and if you want a supporter to be there you need to ask in the same way as if you were at a court building. If the judge then agrees, your supporter can come into the room you are in for the hearing. You need to find a quiet and private space, where you cannot be overheard, to be in when you join any remote hearing. If you are somewhere public, the judge can end the hearing.

The first hearing

Rules



For the relevant court rules on the first hearing – called the First Hearing Dispute Resolution Appointment – search online for '[Family Procedure Rules FHDRA](#)' and then go down the page to paragraph 14.1.

Frightened of meeting your ex at court or seeing them online during a remote hearing?

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.

The court should ask you your views on what type of hearing would feel safer to you. Some people who have suffered domestic abuse prefer to have a hearing by phone or video call, but others feel this enables the alleged perpetrator to see inside their personal space, making their home feel less safe.

If you have to go to a court building, ask the court 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.

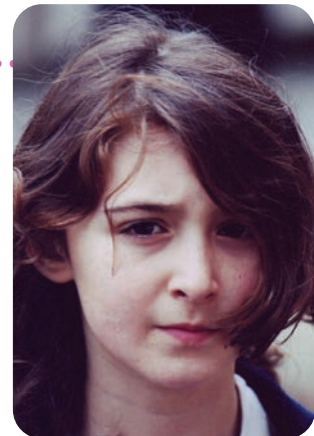
[Support through Court](#) has volunteers based in some courts who may be able to help, for example, by accompanying you to and from a hearing.

The court will keep your email and mobile number private. The court should make sure that you are never left alone with the alleged perpetrator, be that in a court room, on a telephone line or in a video call.

If the hearing goes ahead with you joining by video or phone call, the court should explain to you how to blur your background to make it more neutral. Another option is to make your background as neutral as possible by moving things out of the view of the camera. You may be allowed to turn off your video or join by phone only so that the alleged perpetrator cannot see you. Another option is for the alleged perpetrator to be asked to join by phone only or turn off their camera.

It can be very helpful to have someone with you during your hearing, especially if you don't have a lawyer. If possible, ask someone to support you and make sure the judge approves this, either beforehand or just at the very start of the hearing.

If possible, it can be helpful to have someone on hand at the end of the hearing to give you moral support or help out with childcare, if needed.



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 so that other steps can be taken to help the court make a decision about the application. For example, the court might ask Cafcass to prepare a report or tell you and the respondent to write statements.

When this further information is available, the court may ask you to attend another hearing called a Dispute Resolution Appointment. Again, the court will encourage you to reach an agreement in light of any new evidence.

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 court rules on Dispute Resolution Appointments search online for '[Family Procedure Rules DRA](#)' and then go down the page to paragraph 19.1.

Dispute
Resolution
Appointment

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'. If there is just one judge hearing your case, you can call them 'Judge'.

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'). 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 CAF/CASS 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.

If your hearing has to take place remotely, via video or phone call, it will obviously be quite different as you won't all be present in the same

space together. This can mean the hearing takes a bit longer. The order in which things happen will be the same as if you are all in a court building. If you have this kind of hearing it is really important to prepare just as much as you would if it was in a court building. If you know your hearing is going to take place via video or phone call take a look at our short guide called [Court and tribunal hearings by video or phone call](#). This is full of tips on how to prepare.

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.

The law says that the court must assume that a child's welfare will be improved by having a parent involved in their life, unless there is evidence to suggest that parent might cause the child harm.

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. For example, the court might be worried if it thinks you will use your parental responsibility to try to micromanage the time the child is with the other parent, because this might upset the child's care rather than be good for the child.

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.

Sometimes the court may be concerned that the parent who is asking for parental responsibility might use it to interfere with the day-to-day life of the child and control the parent who the child lives with most of the time. In that situation, the court can make the parental responsibility order but make other orders as well, to prevent the parent from doing things that would cause disruption.



The final hearing

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 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 from [Support Through Court](#) 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.

If you would like more help and guidance on preparing for your hearing

Read our guide called [Going to court when the other side has a lawyer and you don't](#). It may be that the person on the other side to your application does not have a lawyer but this guide will still be very useful as it explains more about what to expect at court and the skills you need to prepare.

The process

Have a look at our step-by-step description of how Rob applies for a parental responsibility order. 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 it 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.



Beth



Rob

START

For information about how to find a family mediator, see [page 37](#).

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 13](#).

2 The mediator invites Beth and Rob to separate initial meetings 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.

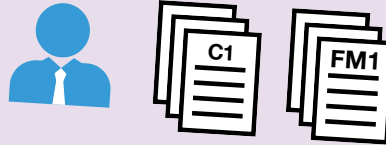
The process

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

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



4 Rob makes 3 copies of the completed **C1** and **FM1** forms.



He needs the original application and FM1 for the court and copies of the application for:

- Beth,
- Cafcass, and,
- his own records.

5 Rob checks whether the family court charges a fee for this kind of application. He applies for help with fees.



For information about getting help with fees see [page 17](#). You can [apply for help online](#) or [fill out a paper form](#) - called EX160.

6 Rob sends these documents to the family court:

- the completed **C1** form and 3 copies,
- the completed **FM1** form and 3 copies, and
- the completed form **EX160** - help with fees form.



The process

Officially start court proceedings

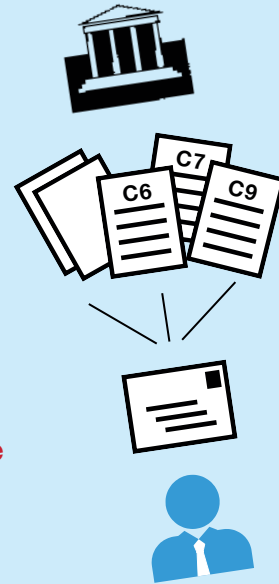
This tells you when and where the first hearing will take place.

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

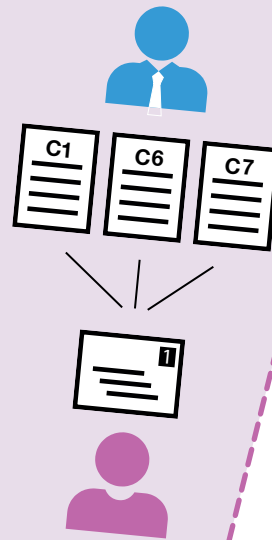
This is the form Rob uses to tell the court when he sent his application to Beth.

7 The court **issues** the application and returns the 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)**.

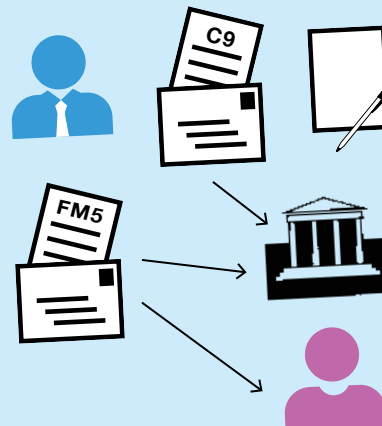


8 Rob sends a copy of the **C1** form together with a **Notice of proceedings form**, and **Acknowledgement form** by 1st class post to Beth.



Form FM5 - this is the form you need to fill in to tell the court about what efforts you have made to reach an agreement out of court.

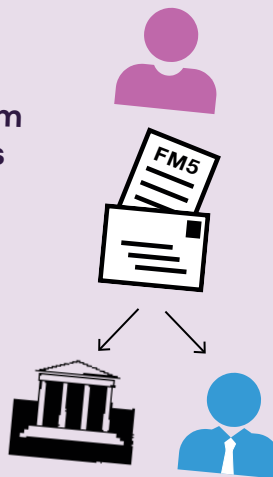
9 Rob fills in the **Statement of Service form (C9)**, makes a copy for himself and sends the original to the court. He also fills in the **FM5** form to tell the court what efforts he has made to reach an agreement with Beth out of court. He sends the form to the court and Beth seven days before the first hearing.



The process

The court will look at both Rob and Beth's FM5 forms to see what efforts they have each made to reach an agreement out of court.

10 Beth also fills in the **FM5** form to tell the court what efforts she has made to reach an agreement with Rob out of court. She sends the form to the court and Rob 7 days before the first hearing.



The court can delay the case and tell Beth and Rob to try mediation again or try another method of dispute resolution.

The court also has the power to make one parent pay some or even all of the legal costs of the other parent if the court decides they have unreasonably refused to take part in non-court dispute resolution.

11 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.

Cafcass are asked to write a report and make recommendations if there are serious allegations of harm made by one parent against another or other issues in the case that cause concern about risk to the child.

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 by searching for [Form C120](#) online.

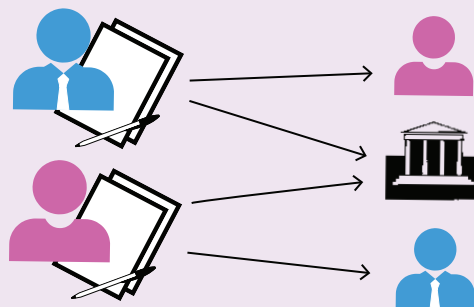
These are instructions for how a case will be dealt with.

12 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 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.

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



Rob's statement needs to set out why he thinks it is in the best interests of the children for him to have parental responsibility by explaining:

- his commitment to the children,
- the attachment between him and the children, and
- his reasons for applying.

The process

14 At the **Dispute Resolution Appointment** the court encourages Beth and Bob to reach an agreement, but Beth is not willing to. The court lists the case for a final contested hearing where both parents will need to give evidence to the court.



15 At the final hearing, the judge hears evidence from Bob and Beth. 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

More help and advice

How to find a family mediator

Anyone can call themselves a family mediator, so it is important to choose someone you can be sure is well trained and experienced.

A good way to find a registered mediator is to use the search tool provided by the [Family Mediation Council](#) to find one near you.

All Family Mediation Council registered mediators must follow a code of practice to maintain good standards in their work. If you are interested, you can find the [code of practice](#) on the Family Mediation Council website.

If you follow up on a recommendation from family or friends, be sure to just [check the name on the Family Mediation Council website](#) so you know that the person is registered and either working towards being an accredited mediator or is accredited. This will give you reassurance that the mediator you choose is trained and experienced.

All the mediators included on the Family Mediation Council website have been trained by providers approved by the Family Mediation Council and most are also accredited, which means that they are experienced mediators. Not all mediators do Legal Aid funded mediation, but those who do must be accredited – you can search for them by ticking the middle box on the search tool.

Mediators are trained to give legal information but not legal advice. Some people feel safer with a mediator who is also a qualified solicitor as they have experience of the family court system. If you want a mediator who is also a solicitor, use the search on the family mediation council's website and check what it says on the mediator's website about their background. Or the search on Resolution's site, explains in the results how long the mediator has been a family law solicitor. Some mediators have backgrounds in other very useful professions that could be particularly helpful to you depending on your situation, such as financial advisers or family therapists.

Don't be afraid to phone around and compare prices. You need to ask:

- How experienced is the mediator? Is the mediator accredited? (If the mediator is working towards accreditation, they will be less experienced but supervised and supported, and cheaper).
- How many mediations do they do each year? (Try to choose an experienced mediator who does many sessions each year).
- How much will each mediation session cost each of you and do they offer mediation vouchers?
- If there are any other additional fees (for example, is there a separate cost for writing up the agreement at the end)?
- How busy they are – are they likely to be able to see you at a time that both you and your ex can do?

More help and advice

How to find legal advice

For help finding a family lawyer a good place to start is [Resolution](#) where you can find lawyers by searching using your postcode. Resolution members must commit to helping you work out your legal problem in a non-confrontational way. A green tick next to the lawyer's name tells you that they offer legal aid.

www.resolution.org.uk

You can also search for a specialist lawyer near you who has been accredited by the Law Society. This means they have a significant amount of experience and expertise and have passed a Law Society assessment – go to [Law Society Find a solicitor page](#).

solicitors.lawsociety.org.uk

You can also find a family lawyer who offers legal aid via the [GOV.UK website](#).

find-legal-advice.justice.gov.uk

Another way to get legal advice is to speak to a barrister who is qualified to represent members of the public directly (without a solicitor being involved). There are limits on what a barrister can do outside of representation at court but it is often a cheaper option if you just want to get some advice rather than have a solicitor to negotiate on your behalf. The details of appropriately qualified barristers and an explanation of the way the system works can be found by searching online for '[Direct Access Portal](#)'. Don't be afraid to phone around to compare prices or see if you can find someone who will give you the first appointment for free.

www.directaccessportal.co.uk

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 please check their website: [Royal Courts of Justice Advice Bureau](#) for latest appointment details.

Coram Children's Legal Centre offers a [Child Law Advice Service](#) where you can get free and confidential advice on specific questions you may have on family law and education law if you do not have legal representation.

The demand for the advice line is high, so they are only able to answer a limited number of calls. Therefore, make sure you read through the information on their website and only contact the support line with specific questions on the information provided. You can only get advice if you are a resident of England.

The best way to see what they offer and when is to go to their [Contact us](#) page.



More help
and advice

Help at court or during hearings by video or phone call

The charity [Support Through Court](#) (previously the Personal Support Unit) supports people going through the court process without a lawyer. Volunteers offer a free and confidential service at some court buildings. You can look at their website to see if they have an office at your local court. The volunteers aim to help you manage your own case yourself. They cannot give legal advice or act on your behalf, but can offer practical help such as going to your hearing with you and supporting you with your forms.

They can also help you if your hearing is by video or phone, by talking you through the process and sometimes joining the hearing too. They run a free national helpline **03000 810 006**, open Monday to Friday 10.30am–3.30pm. This is a good place to start for information on what they can do to help you.

Child contact centres

Child contact centres are neutral places where children of separated families can spend time with the parent they don't live with day to day and sometimes other family members, in a comfortable and safe environment. For more information, [National Association of Child Contact Centres](#)

Domestic violence and abuse

Always dial 999 in an emergency. If you cannot speak when you call, you may be asked to cough or tap on the phone or enter the numbers 55. The operator will then know you are there and in danger and transfer you to the police.

For support or to discuss your options you can call the [National Domestic Abuse Helpline](#) on **0808 2000 247** or in Wales, Live Fear Free on **0808 80 10 800**.

Both help lines 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 affected by domestic abuse, or you are worried about someone you know who is suffering abuse, you can contact [Men's advice line](#) who offer confidential advice, support and information – **0808 8010327** Monday–Friday 10am–5pm.

The [National Centre for Domestic Violence](#) provides a free, emergency injunction service to survivors of domestic abuse 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.

[Galop](#) runs a national helpline for lesbian, gay, bisexual and trans people experiencing domestic abuse. You can contact them on **0800 999 5428**.

More help
and advice

You can find more information and support from:

www.refuge.org.uk/

www.womensaid.org.uk/

www.welshwomensaid.org.uk/

www.survivingeconomicabuse.org/

If you are worried about your own behaviour towards your current or ex-partner, or are you concerned for someone you know who is being abusive, help is available to stop this at Respect Phonenumber with non-judgemental advice and access to behaviour change programmes. Call **0808 8024040**, Monday–Friday 10am–5pm.

respectphonenumber.org.uk

Further information about your rights and places to get support

Gingerbread provides expert advice, practical support and other help for single parents. They have lots of useful information on their website, so they ask that you look at that first before calling the helpline. Single Parent Helpline: **0808 802 0925**

www.gingerbread.org.uk

OnlyMums and OnlyDads run a Family Separation Support Hub with information, articles, details of parenting courses and access to a directory of a range of professionals who can help with separation issues.

www.onlymums.org

www.onlydads.org

Family lives is a national charity providing help and support in all aspects of family life. Their helpline can give information, advice, guidance and support on any aspect of parenting and family life. Family Helpline: **0808 800 2222** Monday to Friday 9am–9pm, Saturday and Sunday 10am–3pm.

www.familylives.org.uk

MATCH - mothers apart from their children is a charity that offers non-judgemental support and information to mothers apart from their children in a wide variety of circumstances. E-mail: enquiries@matchmothers.org. Helpline: **0800 689 4104** 9am–1pm and 7pm–9.30pm, Monday–Friday.

matchmothers.org



More help and advice

What does it mean?

Acknowledgement form (Form C7) – the form a person replying to an application (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 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.

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 or in Wales, Welsh Family Proceedings Officers) – 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.

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 or opposite sex couples that have entered into a civil partnership.

Cohabitees – 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.

(continued)

What does it mean?

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.

Dispute Resolution Appointment (DRA) – This hearing gives you another opportunity to see if you can sort out your disagreement with the help of the court, if you haven't managed to reach an agreement at the first hearing.

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.

FM5 – the form that everyone involved in a case about children need to fill in to tell the court about what efforts you have made to reach an agreement out of court.

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.

Non-court dispute resolution – the name given by family lawyers to different ways of reaching an agreement out of court. The main methods that the court recognises are mediation, the collaborative law approach, arbitration and neutral evaluation.

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.

(continued)

What does it mean?

Notice of proceedings – this tells you that a court case has started and when and where the 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 reply or 'respond' to your application.

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).

What does it mean?

The information in this guide applies to the law in England and Wales only. The information in this guide is correct at the date of publication. The law is complicated and does change. 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.

Advicenow.org.uk

If you would like this guide in another format please email guides@advicenow.org.uk

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Advicenow

Advicenow gives people the knowledge, confidence and skills to deal with their legal problems. We do this through our advice guides, action support tools, community training, research, and campaigns. We also support other organisations to help their users to engage with the law effectively. We used to be known as Law for Life. Our registered office is 4th floor, 18 St Cross Street, London, EC1N 8UN. We are a registered charity (charity no. 1143589) and a company limited by guarantee in England and Wales (no. 07695486) Our registered name is still Law for Life: the Foundation for Public Legal Education.



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