



## THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES

### UNIT 20 – PRACTICE OF FAMILY LAW\*

**Time allowed: 3 hours plus 15 minutes reading time**

#### Instructions to Candidates

- You have been provided with a clean copy of the case study materials for you to use in this examination.
- You have **FIFTEEN** minutes to read through this question paper and the case study materials before the start of the examination.
- **It is strongly recommended that you use the reading time to read the question paper fully.** However, you may make notes on the paper or in your answer booklet during this time if you wish.
- **All questions are compulsory. You must answer ALL the questions.**
- Write in full sentences – a yes or no answer will earn no marks.
- **Candidates may use in the examination their own unmarked copy of the designated statute book: Blackstone's Statutes on Family Law 2013-2014, 22<sup>nd</sup> edition, M Oldham, Oxford University Press, 2013.**
- Candidates must comply with the CILEx Examination Regulations.
- Full reasoning must be shown in answers. Statutory authorities, decided cases and examples should be used where appropriate.

#### Information for Candidates

- The mark allocation for each question and part question is given and you are advised to take this into account in planning your work.
- Write in blue or black ink or ballpoint pen.
- Attention should be paid to clear, neat handwriting and tidy alterations.
- Complete all rough work in your answer booklet. Cross through any work you do not want marked.

**Do not turn over this page until instructed by the Invigilator.**

\* This unit is a component of the following CILEx qualifications: **LEVEL 6 CERTIFICATE IN LAW, LEVEL 6 PROFESSIONAL HIGHER DIPLOMA IN LAW AND PRACTICE** and the **LEVEL 6 DIPLOMA IN LEGAL PRACTICE**

## Question 1

Reference: Question relates to **Documents 2 and 3** of the case study materials.

William Allen attends at the office. He confirms that he wishes to proceed with a divorce and asks you to prepare the paperwork that he will need.

- (a) Using the attached form D8 (**Document A**) draft the divorce petition for Mr Allen using the fact you believe is the most appropriate for his case.

**IMPORTANT: Write your candidate number clearly on Document A and attach it securely to the inside of your answer booklet.**

**(15 marks)**

- (b) Mr Allen confirms that he does not expect his wife to challenge the divorce or the arrangements for the children. He asks you to explain what happens next. Outline the process of the divorce from this point to its conclusion.

**(10 marks)**

**(Total: 25 marks)**

## Question 2

Reference: Question relates to **Document 4** of the case study materials.

- (a) Explain the options available to Mrs Singh to resolve financial matters amicably and without recourse to the court.

**(8 marks)**

- (b) Your secretary tells you that Mrs Singh visited the office earlier and has asked for an urgent appointment with you. She hands you a copy of the Attendance Note from this meeting (**Document B**) and advises you that Mrs Singh will attend at the office later this afternoon to seek your advice.

Discuss what action you could take on her behalf to protect each of the realisable assets.

**(18 marks)**

**(Total: 26 marks)**

### Question 3

Reference: Question relates to **Document 5** of the case study materials.

Further to his e-mail to Jane, Nicholas Griffiths attends at the office for an appointment with you.

- (a) Explain to Mr Griffiths the options available for him to secure his position relating to the issues concerning his ability to be involved in decisions regarding his care of the children, following his separation from Yvette.

Advise him as to which option you consider to be the best in his circumstances and why.

**(8 marks)**

- (b) Assume that following an unsuccessful Mediation Information and Assessment Meeting (M.I.A.M), Mr Griffiths later elects to apply to the court.

Using the attached C100 form (**Document C**), draft the court application for him.

**IMPORTANT: Write your candidate number clearly on Document C and attach it securely to the inside of your answer booklet.**

**(12 marks)**

**(Total: 20 marks)**

### Question 4

Reference: Question relates to **Document 6** of the case study materials.

- (a) What orders should you apply for to protect Miss Mitchell? Explain why she is entitled to apply for those orders.

**(6 marks)**

- (b) Advise Miss Mitchell of the factors which the court will consider when deciding whether to grant each of the orders you have applied for and the likely outcome of the case.

**(17 marks)**

- (c) Assume that you are successful in obtaining the orders sought. Outline the likely terms of the orders.

**(6 marks)**

**(Total: 29 marks)**

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Case No. ....

**DOCUMENT A**  
**(Petition for Divorce - to be used with Question 1)**

**Divorce/dissolution/  
(judicial) separation petition**

To be completed by the Court	
Name of court	
Case No.	
Date received by the court	
Date issued	
Time issued	

**Notes to Petitioners**

- This form should be used if you are making an application to the court for divorce/dissolution to end your marriage or civil partnership or (judicial) separation from your spouse or civil partner.
- Before completing this form, please read the supporting notes for guidance on completing the form.
- Please answer all questions. If you are unsure of the answer to any question, or you do not think that it applies to you, please indicate this on the form.
- If there is not enough room on the form, you may continue on a separate sheet. Please put your name, the Respondent's (your spouse/civil partner) name, and the number of the Part the information relates to, at the top of your continuation sheet.
- If completing this form by hand, please use **black ink and BLOCK CAPITAL LETTERS** and tick the boxes that apply.

See the supporting notes for guidance

I,  (please state your full name)

apply for a ☐ divorce

☐ dissolution

☐ (judicial) separation

in respect of my ☐ marriage

☐ civil partnership

and give the following details in support of my application.

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**Turn over**

## Part 1 About you (the Petitioner) and the Respondent (your spouse/civil partner)

See the supporting notes for guidance

### Petitioner

My current name is  
First name(s) (in full)

Last name

My address is (including postcode)

  
 Postcode 

My date of birth is

/
 /
 

My occupation is

I am

☐ male ☐ female

### Respondent

The Respondent's current name is  
First name(s) (in full)

Last name

The Respondent's address is (including postcode)

  
 Postcode 

The Respondent's date of birth is

/
 /
 

The Respondent's occupation is

The Respondent is

☐ male ☐ female

## Part 2 Details of marriage or civil partnership

See the supporting notes for guidance

On the                      day of                      [19        ] [20        ]

(insert your name exactly as it appears on your marriage/civil partnership certificate)

☐ married ☐ formed a civil partnership with

(insert the name of the Respondent exactly as it appears on your marriage/civil partnership certificate)

at

(insert the place where the marriage/civil partnership was formed, exactly as it appears on your marriage/civil partnership certificate)

A certified copy of your marriage/civil partnership certificate must be sent to the court with this completed petition (see supporting notes for guidance).

### Part 3 Jurisdiction

See the supporting notes for guidance

The Respondent and I last lived together as ☐ husband and wife ☐ civil partners  
at

Address

The court has jurisdiction to hear this case under

☐ Article 3(1) of the Council Regulation (EC) No 2201/2003 of 27 November 2003

or

☐ the Civil Partnership (Jurisdiction and Recognition of Judgments) Regulations 2005

on the following grounds

☐ The Petitioner and Respondent are both habitually resident in England and Wales and/or

☐ Other (please state any other connection(s) on which you wish to rely)

or

☐ The court has jurisdiction other than under the Council Regulation on the basis that no court of a Contracting State has jurisdiction under the Council Regulation and the ☐ Petitioner ☐ Respondent is domiciled in England and Wales on the date when this application is issued

or

☐ The court has jurisdiction other than under the Civil Partnership (Jurisdiction and Recognition of Judgments) Regulations on the basis that no court has, or is recognised as having jurisdiction as set out in the Regulations, and

either:

☐ the ☐ Petitioner ☐ and/or the Respondent is domiciled in England or Wales

or

☐ the Petitioner and Respondent registered as civil partners of each other in England or Wales and it would be in the interests of justice for the court to assume jurisdiction in this case.

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**Turn over**

## Part 4 Other proceedings or arrangements

See the supporting notes for guidance

- ☐ There are and/or have been
- ☐ proceedings in any court in England and Wales or elsewhere with reference to the
- ☐ marriage
- ☐ civil partnership
- ☐ or to any child of the family
- ☐ or between the Petitioner and Respondent with reference to any property of either or both of them
- (please enter details below)

or

- ☐ no other proceedings in any court in England and Wales or elsewhere.

- ☐ This is an application based on five years' separation and
- ☐ agreement has been made or is proposed to be made between the parties for the support of
- ☐ the Petitioner ☐ the Respondent ☐ and any child of the family
- (please enter details below)

or

- ☐ no agreement has been made or is proposed to be made.

## Part 5 The fact(s)

See the supporting notes for guidance

I apply for a

- ☐ divorce on the ground that the marriage has broken down irretrievably, or
- ☐ dissolution on the ground that the civil partnership has broken down irretrievably, or
- ☐ (judicial) separation

and

I rely on the following fact(s) in support of my application:

- ☐ The Respondent has committed adultery and the Petitioner finds it intolerable to live with the Respondent (this fact is not applicable in relation to a civil partnership)
- ☐ The Respondent has behaved in such a way that the Petitioner cannot reasonably be expected to live with the Respondent
- ☐ The Respondent has deserted the Petitioner for a continuous period of at least two years immediately preceding the presentation of this petition
- ☐ The parties to the marriage/civil partnership have lived apart for a continuous period of at least two years immediately preceding the presentation of the petition and the Respondent consents to a decree/order being granted
- ☐ The parties to the marriage/civil partnership have lived apart for a continuous period of at least five years immediately preceding the presentation of the petition.



## Part 6 Statement of case

See the supporting notes for guidance

(in all cases, please state briefly any relevant details about the fact(s) on which you rely)

## Part 7 Details of the children

See the supporting notes for guidance

Children of the family			Over 16 but under 18 and in education, training or working full time	(a) Child of both parties	(b) Other child of the family
Full names of the children of the family	Gender male      female	Date of birth (or state if over 18)			
	<input type="checkbox"/> male <input type="checkbox"/> female	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> male <input type="checkbox"/> female	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> male <input type="checkbox"/> female	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> male <input type="checkbox"/> female	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> male <input type="checkbox"/> female	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> male <input type="checkbox"/> female	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Statement of arrangements for children

See the supporting notes for guidance

- ☐ I attach a completed statement of arrangements in respect of those children of the family who are either aged under 16, or aged under 18 and at school, college, or in training for a trade, profession or vocation
- or
- ☐ No statement of arrangements is attached, because there are no children of the family, or no children of the family are either aged under 16 or aged under 18 and at school, college, or in training for a trade, profession or vocation.

**Children of either party who are not children of the family**

Full names of the children of either party who are not children of the family	Gender		Date of birth (or state if over 18)	Born to or adopted by Petitioner	Born to or adopted by Respondent
	male	female			
	<input type="checkbox"/>	<input type="checkbox"/>	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	DD / MM / YYYY	<input type="checkbox"/>	<input type="checkbox"/>

**Part 8 Special assistance or facilities if you attend court**

See the supporting notes for guidance

If you are required to attend court during these proceedings will you need any special assistance or facilities?

☐ Yes (please supply details below) ☐ No

continued over the page ➞

## Part 9 Service details

See the supporting notes for guidance

- ☐ I am not represented by a solicitor in these proceedings
- ☐ I am not represented by a solicitor in these proceedings but am receiving advice from a solicitor
- ☐ I am represented by a solicitor in these proceedings, who has signed Part 10, and all documents for my attention should be sent to my solicitor whose details are as follows:

### Box 1 Solicitor's details

Name of solicitor			
Name of firm			
Address to which all documents should be sent for service	Telephone no.		
	Fax no.		
	DX no.		
	Your ref.		
Postcode	<input type="text"/>	<input type="text"/>	<input type="text"/>
E-mail			

### Box 2 Petitioner's address for service

Address (including postcode)
Postcode <input type="text"/> <input type="text"/>

### Box 3 Respondent's address for service

Address (including postcode)
Postcode <input type="text"/> <input type="text"/>

### Box 4 Co-Respondent's details, if any

- ☐ There is no Co-Respondent
- ☐ There is a Co-Respondent whose details are as follows:

First Name	
Last Name	
Address (including postcode)	
Postcode	<input type="text"/> <input type="text"/>

**Part 10**

See the supporting notes for guidance

**Prayer**

The Petitioner therefore prays

**(1) The application**

- ☐ That the ☐ marriage ☐ civil partnership be dissolved  
 or  
☐ That the Petitioner be (judicially) separated from the Respondent.

**(2) Costs (if you wish to claim costs from the Respondent or Co-Respondent)**

- ☐ That the ☐ Respondent ☐ Co-Respondent shall be ordered to pay the costs of this application

**(3) Financial Order (if you wish to make an application for a Financial Order)**

- ☐ (a) That the Petitioner may be granted the following Financial Order(s):
- ☐ an order for maintenance pending suit/outcome
  - ☐ periodical payments order
  - ☐ secured provision order
  - ☐ lump sum order
  - ☐ property adjustment order
  - ☐ order under section 24B, 25B or 25C of the Act of 1973/paragraph 15, 25 or 26 of Schedule 5 to the Act of 2004 (Pension Sharing/Attachment Order)
- ☐ (b) For the children
- ☐ a periodical payments order
  - ☐ a secured provision order
  - ☐ a lump sum order
  - ☐ a property adjustment order

Signed

Petitioner [s Solicitor]

Dated

/
 /



**Document B**

**(Attendance Note re: Darshana Singh – for use with Questions 1–4)**

Attended upon Mrs Singh who had come into reception to ask to see someone urgently about her case.

She was very agitated. She explained that the children had seen their father for their usual contact visit yesterday after school. As soon as they got home she could tell they were upset. Vikram told her that his father had announced that he intended moving away soon to stop his mother taking all of his assets and that when he did, it might be a while before he saw them again.

Vikram had tried to get more information from his father about when and where he was planning to move. His father said that he couldn't give him exact details at the moment because he needed to sell some of his assets to know what he could afford to do.

Uma mentioned that her uncle had been at her father's house when they arrived and that her uncle had seemed very happy. When she asked him why he was so happy he told her that he'd just bought 7 Central Avenue at a particularly low price of £50,000 from her father, so he was celebrating a good deal.

Mrs Singh asked to see someone urgently. I explained that you were with clients all morning but gave her an appointment with you for this afternoon.

Time taken: 12 minutes.

**Turn over**

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**Document C**  
**(Form C100 - to be used with Question 3)**

C100

**Application under the Children Act 1989 for a residence, contact, prohibited steps, specific issue section 8 order or to vary or discharge a section 8 order**

**To be completed by the court**

Name of court

Date issued

Case number

Before completing this form please read the leaflet 'CB1 – Making an application – Children and the Family Courts'. You can get a copy of from your local court or at [www.justice.gov.uk](http://www.justice.gov.uk).

- Failure to complete every question or state if it does not apply, could delay the case, as the court will have to ask you to provide the additional information required.
- If there is not enough space please attach separate sheets, clearly showing the details of the children, parties, question and page number they refer to.
- Cafcass/CAFCASS CYMRU will carry out checks as it considers necessary. See Section J of leaflet CB1 for more information about Cafcass and CAFCASS CYMRU.

**1. Summary of application**

Some people need permission to apply - See Section C of the leaflet CB1 for details on who needs permission and how to get permission

Have you applied to the court for permission to make this application? ☐ Yes ☐ Permission not required

Your name (the applicant(s))

The respondent's name(s)

See Sections G and H of the booklet CB1.

Please list the name(s) of the child(ren) and the type(s) of order you are applying for, starting with the oldest. To understand which order to apply for read the booklet CB1 Section D.

Child 1 - Full name of child	Date of birth	Gender	Order(s) applied for
	DD/MM/YYYY	<input type="checkbox"/> Male <input type="checkbox"/> Female	
Relationship to applicant(s)		Relationship to respondent(s)	

Child 2 - Full name of child	Date of birth	Gender	Order(s) applied for
	DD/MM/YYYY	<input type="checkbox"/> Male <input type="checkbox"/> Female	
Relationship to applicant(s)		Relationship to respondent(s)	

Child 3 - Full name of child	Date of birth	Gender	Order(s) applied for
	DD/MM/YYYY	<input type="checkbox"/> Male <input type="checkbox"/> Female	
Relationship to applicant(s)		Relationship to respondent(s)	

**C100** Application under the Children Act 1989 for a residence, contact, prohibited steps, specific issue section 8 order or to vary or discharge a section 8 order (04.12)

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**Turn over**



## 2. About you (the applicant(s))

	Applicant 1 (You)	Applicant 2 (if applicable)
Full names	<input type="text"/>	<input type="text"/>
Previous names (if any)	<input type="text"/>	<input type="text"/>
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date of birth (If under 18 read section R of leaflet CB1)	<input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Place of birth (town/county/country)	<input type="text"/>	<input type="text"/>
<b>If you do not wish your address to be made known to the respondent, leave the details below blank and complete Confidential contact details Form C8.</b>		
Address	<input type="text"/>	<input type="text"/>
	Postcode <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Postcode <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Home telephone number	<input type="text"/>	<input type="text"/>
Mobile telephone number	<input type="text"/>	<input type="text"/>
Email address	<input type="text"/>	<input type="text"/>
Have you lived at this address for more than 5 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No, please provide details of all previous addresses you have lived at for the last 5 years.		
If you do not wish your contact details to be made known to the Respondent, leave the details blank and complete Confidential contact details Form C8	<input type="text"/>	<input type="text"/>

### 3. The respondents

Sections G and H of the the booklet 'CB1 - Making an application - Children and the Family Courts' explain who a respondent is.

If there are more than 2 respondents please continue on a separate sheet.

	Respondent 1	Respondent 2
Full names	<input type="text"/>	<input type="text"/>
Previous names (if known)	<input type="text"/>	<input type="text"/>
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date of birth (If party under 18 read section R of leaflet CB1)	<input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Place of birth (town/county/country)	<input type="text"/>	<input type="text"/>
Address (to which documents relating to this application should be sent)	<input type="text"/>	<input type="text"/>
Postcode	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Home telephone number	<input type="text"/>	<input type="text"/>
Mobile telephone number	<input type="text"/>	<input type="text"/>
Email address	<input type="text"/>	<input type="text"/>
Have they lived at this address for more than 5 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know
	If No, please provide details of all previous addresses for the last 5 years below (if known, including the dates and starting with the most recent)	
	<input type="text"/>	<input type="text"/>

**Turn over**



#### 4. Others who should be given notice

There may be other people who should be notified of your application, for example, someone who cares for the child but is not a parent. Sections G and I of the the booklet '**CB1 - Making an application - Children and the Family Courts**' explain who others are.

	Person 1	Person 2
Full names	<input type="text"/>	<input type="text"/>
Previous names (if known)	<input type="text"/>	<input type="text"/>
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date of birth	<input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Address	<input type="text"/>	<input type="text"/>
Postcode	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Please state their relationship to the children listed on page 1. If their relationship is not the same to each child please state their relationship to each child.	<input type="text"/>	<input type="text"/>

## 5. Solicitors details

Do you have a solicitor acting  
for you?

☐ Yes

☐ No

If No, see section R of leaflet CB1 for more information

If Yes, please give the following details

Your solicitor's name

Name of firm

Address

Postcode

Telephone number

Fax number

DX number

Solicitor's Reference

Email address

**Turn over**



## 6. The child(ren)

Are any of the children known to the local authority children's services?

☐ Yes ☐ No ☐ Don't know

If Yes please state which child and the name of the Local Authority and Social worker (if known)

Are any of the children the subject of a child protection plan

☐ Yes ☐ No ☐ Don't know

Do all the children share the same parents?

☐ Yes ☐ No

If Yes, what are the names of the parents?

If No, please give details of each parent and their children involved in this application

Please state everyone who has parental responsibility for each child and how they have parental responsibility (e.g. 'child's mother', 'child's father and was married to the mother when the child was born' etc.)  
(See Section E of leaflet CB1 for more information)

Who do the children currently live with?

☐ Applicant(s) ☐ Respondent(s) ☐ Other

If other, please give the full address of the child, the names of any adults living with the children and their relationship to or involvement with the child.

If you do not wish this information to be made known to the Respondent, leave the details blank and complete Confidential contact details Form C8



## 7. Why are you making this application?

Please give brief details:

- any previous agreements (formal or informal), and how they have broken down
- your reasons for bringing this application to the court
- what you want the court to do
- reasons given by the respondent(s) for their actions in relation to this application.

**Do not give a full statement, please provide a summary of any relevant grounds and reasons.** You may be asked to provide a full statement later.

## 8. Agreements about residence and/or contact

Have you received a copy of the 'Parenting Plan: Putting your children first: A guide for separating parents' booklet?

☐ Yes ☐ No

If No, you can get a copy free of charge from your local court or you can download a copy from the website [www.tso.co.uk](http://www.tso.co.uk)

Have you attended a mediation information/assessment meeting as suggested in the pre-action protocol and/or attached form FM1?

☐ Yes ☐ No

You can find your nearest family mediation service by visiting the government's website DirectGov ([www.direct.gov.uk](http://www.direct.gov.uk)) and search using the words 'family mediation'. You will find a database of accredited family mediation services on the website.

If you did not use mediation or attend a mediation information/assessment meeting please explain why:

### 9. Risk

Do you believe that the child(ren) named at Section 1 have experienced or are at risk of experiencing harm from any of the following by any person who has had contact with the child?

- |                                     |                              |                             |
|-------------------------------------|------------------------------|-----------------------------|
| any form of domestic abuse/violence | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| child abduction                     | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| child abuse                         | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| drugs, alcohol or substance abuse   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| other safety or welfare concerns    | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If you answered Yes to any of the above, please complete form C1A (Supplemental information form).

### 10. Other court cases which concern the child(ren) listed on page 1

Are you aware of any other court cases now, or at any time in the past, which concern any of the child(ren) at Section 1?

- ☐ Yes If Yes, please attach a copy of any relevant order, and complete the details of the Cafcass/CAFCASS CYMRU officer and child's solicitor below. If you do not have a copy of the order please complete all the additional details below.
- ☐ No If No, please **go to Section 11**

#### Additional details

Name of child(ren)

  
  
  


Name of the court where proceedings heard

Case no.

Date/year (if known)

Name and office (if known) of Cafcass/CAFCASS CYMRU officer

Name and address of child's solicitor, if known

  
  
  
  
  


Postcode

**If the above details are different for each child please provide details on additional sheets.**

Please tick if additional sheets are attached.

☐



## 11. Attending the court

Section N of the the booklet 'CB1 - Making an application - Children and the Family Courts' provides information about attending court.

**If you require an interpreter, you must tell the court now so that one can be arranged.**

Do you or any of the parties need an interpreter at court?

☐ Yes ☐ No

If Yes, please specify the language and dialect:

If attending the court, do you or any of the parties involved have a disability for which you require special assistance or special facilities?

☐ Yes ☐ No

If Yes, please say what the needs are

Please say whether the court needs to make any special arrangements for you to attend court (e.g. providing you with a separate waiting room from the respondent or other security provisions).

Court staff may get in touch with you about the requirements

## 12. Statement of truth

**\*[I believe] [The applicant/respondent believes] that the facts stated in this application are true.**

\*delete as appropriate

**\*I am duly authorised by the applicant/respondent to sign this statement.**

Print full name

Name of applicant solicitors firm

Signed

Dated

(Applicant) (Applicant's solicitor)

Position or office held  
(If signing on behalf of firm or company)

**Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.**

continued over the page ➞

**Turn over**

## Information for completing form C100

A copy of this application will be provided to Cafcass upon issue of proceedings. The information contained in the form C100 enables Cafcass to conduct enquiries prior to the first court hearing, without it they cannot conduct the initial safeguarding checks and enquiries.

Whilst every question in this form should be completed or stated that information is not available the following **essential** information is required by Cafcass/CAFCASS CYMRU and failure to provide this information could lead to unnecessary delays to proceedings:

### Page 1

- ☐ Whether permission is required
- ☐ The full name(s) of the child(ren) in the proceedings
- ☐ Their date(s) of birth
- ☐ Their gender
- ☐ The applicants relationship to the child(ren)
- ☐ The respondents relationship to the child(ren)

### Page 2

- ☐ Your/the applicant's full name
- ☐ Any previous names
- ☐ Your/the applicant's gender and date of birth
- ☐ Your/the applicant's address, including the postcode  
**Note:** if you/the applicant does not wish the address to be made known it should be included in an accompanying form C8.
- ☐ Your/the applicant's telephone number and if applicable, mobile telephone  
**Note:** if you/the applicant does not wish the number to be made known it should be included in an accompanying form C8.

### Page 3

- ☐ The respondent's full name
- ☐ Previous surnames (if known)
- ☐ The respondent's gender and date of birth
- ☐ The respondent's address, including the postcode
- ☐ The respondent's telephone number and if applicable, mobile telephone

### Page 5

- ☐ Solicitor details (if applicable), including a telephone number

### Page 6

- ☐ The names of the child(ren)'s parents
- ☐ If the child(ren) is/are not living with either the Applicant or Respondent you must give:
  - the child(ren)'s current address
  - the full names of the adults living with them and their relationship or involvement with the child(ren)

### Page 7

- ☐ The nature of the application for each child

### Page 8

- ☐ Have the child(ren) suffered or are at risk of suffering harm

### Page 9

- ☐ Check you have completed and signed section 12

## What to do now

- ☐ Check you have attached copies of any **relevant orders** (as per Section 10).
- ☐ You must provide a **copy** of the application and attached documents for each of the respondents and one for the Children and Family Court Advisory and Support Service (Cafcass or CAFCASS CYMRU).
- ☐ Is form C1A attached (if applicable)?
- ☐ Is form FM1 attached?
- ☐ Are any additional sheets attached?
- ☐ If you have included additional sheets you must add the names of the parties and children at the top of the page and details of the questions and page number the additional sheets relate to.
- ☐ Check you have attached the correct fee. The leaflet 'EX50 County court fees' provides information about court fees you will have to pay.

**Now take or send your application with the correct fee and correct number of copies to the court.**

#### Court fees

You may be exempt from paying all or part of the fee. The combined booklet and application form 'EX160A Court Fees - Do you have to pay them?' gives more information. You can get a copy from the court or download a copy from our website at [www.justice.gov.uk](http://www.justice.gov.uk)