



Family Law Glossary

Term	Definition
Adjournment	Postponing a hearing until another day.
Adoption	In the UK, adoption means that the child's birth parents stop being parents and the adopters become the child's legal parents for all purpose.
Advocate	Somebody who speaks for a client in court.
Barrister	A lawyer regulated by the Bar Standards Board, often specialising in court room representation, drafting pleadings, and expert legal opinions.
BBR	Building Better Relationships course.
Bench	The lay justices (usually a panel of 3 magistrates or a District Judge sitting in the magistrates' court).
Bundle	A court bundle is a paginated set of the documents in a case, in a lever arch file or a pdf, for use in court. The judge, advocates and any witnesses all use these copies. This ensures that when a barrister asks the witness to turn to document B4 on page 232, everyone ends up looking at the same document. We have a guide on how to prepare a bundle.
C1	The form needed to apply for parental responsibility and some other types of children order. It's used when C100 does not apply.
C100	The form needed to apply to the court for a child arrangements order. We have a guide on applying for a child arrangements order.
C1A	Use this form to add more information about harm or domestic abuse, when you complete a C100.
C2	Application form for an order or directions in existing proceedings, or to be joined as a party in existing family proceedings.
Cafcass	Cafcass stands for Children and Family Court Advisory and Support Service. Cafcass prepares reports for the courts in family court cases, for example advising the courts on where the child should live or the level of contact. They may be asked to do a full report or a report only into the

	child's wishes and feelings. They are trained social workers but independent of the courts and local authority.
Care order	Where the court finds that a child is suffering significant harm or there is a real possibility of them suffering significant harm in the future, the court can make a care order, which is an order that the local authority looks after the child. The local authority will get PR for the child and can override the PR of the parents.
Care plan	The local authority's proposals for the child that they are applying to take into care. This can include a return home, but under a care order, long-term foster care, or placement for adoption. The court has a role in checking the care plan, but does not have long-term control over it after it has made a care order.
Chambers	Barristers are self-employed but they share facilities, known as Chambers. At the Chambers, their clerks manage their diaries and billing, and they have desk space. Chambers can also mean judges' chambers. Many hearings are not heard in a big courtroom, but rather in the judge's chambers – their office, where the judge sits at the head of the table and the parties and any lawyers sit around the table.
Child abduction	Child abduction involves taking or keeping a child away from the people with lawful control of him, or removing or keeping the child out of the UK without the right permission. It is therefore more specific than kidnapping. It is a criminal offence. We have a guide on child abduction.
Child arrangements order	A child arrangements order used to be known as residence and contact orders. The order decides about who the child lives with and when they see the other parent/others.
Child in need	The local authority has to provide services to children in their area who are in need, to safeguard and promote their welfare and to try to prevent the need for care proceedings. A child may be in need if they are not in good health or development or if they are disabled (even if the child is well cared for).
Child of the family	Defined by s105 Children Act 1989 as a child raised by a couple even if the child is not the bio child of them both.
Children's services	The local authority's child protection department. In counties this is within the county council. In London it is usually the borough council, such as Haringey.
Circumcision (female)	See female genital mutilation.
Circumcision (male)	The removal of the foreskin of the penis for religious or medical reasons. It is legal in England.

Civil partnership	Very similar to marriage, it was originally created for gay couples when they were not allowed to marry. Now both gay and straight couples can have a civil partnership as an alternative to marriage, and it gives certain rights and responsibilities that are almost identical to marriage. Not the same as just living together.
Consent order	A court order approved by a judge, but where the parties agree to what it says.
Committal	An application to send you to prison for breach of a court order.
Contact centre	A space, often a church hall or village hall, that is used as a meeting space for children and a parent. It is basically a big room with toys where lots of children meet their parents. This is often used where the parent and child do not have a strong existing relationship. It is a form of 'supported' contact, because volunteers are present to ensure that contact goes smoothly. The parents can arrive at different times and use different entrances if necessary. Sometimes contact centres are used as handover points for contact, where the parties need a third party to do the actual handover of the child so that they do not see one another. Some contact centres offer supervised contact.
Contact order	The old name for a child arrangements order saying when a child was to see the other parent (or someone else).
Contempt of court	A breach of a court order without just excuse. Can result in a fine and/or going to prison.
Costs	A request for an order that someone pay the other party's costs. In children proceedings, costs orders are unusual. In financial remedy proceedings they usually only are made where one party has engaged in litigation misconduct. In civil proceedings including trusts of land, the loser pays the winner's costs. You may see the words 'to be assessed if not agreed'. This means that the court will decide what amount is to be paid as costs, if the parties cannot agree it.
Counsel	A barrister
Court order	Compulsory instructions from the court. Breach of a court order is a contempt of court.
Delay/no delay principle	Delay during court proceedings is generally considered to be bad for children. Some delay is necessary to enable the parties to gather the relevant evidence or for assessments to be done so we should really call it the no unnecessary delay principle.
Direct access	Hiring a barrister without going through a solicitor. Many

	barristers are direct access trained. Also known as 'public access'. We have a guide on this.
Directions	Compulsory instructions from a court on how to prepare the case for final hearing/trial. A directions hearing is a hearing about what needs to be done to prepare the case for final hearing/trial.
DJ	District Judge
DRA	Dispute Resolution Appointment
Ex parte	See 'without notice'
Fact finding hearing/finding of fact	Where there is a dispute about whether an event happened or not, it may be necessary for the court to determine the truth before it can decide the case. For example, if mum alleges that dad is violent, then the court may need to find out if that is true, because if true then it may mean dad cannot safely have contact with the child, or arrangements may need to be made to keep contact safe. If not true, then mum may be making up stuff to block contact and the court would want to know that. In these situations the court may hear evidence from the parties about what happened and then decide whether it happened or not. This means future decisions about the child are based on what the court has found to be true or untrue.
Facts and reasons	In certain types of court order, the judge will briefly list the reasons for their decision and the facts of the case, in summary.
Family Procedure Rules (FPR)	A set of rules that everyone must follow about how to run a case. There are also Practice Directions that help explain them.
Female Genital Mutilation	The removal or cutting of parts of the labia and clitoris of a woman, for cultural reasons. There are different categories of FGM of differing severities. It is illegal in England.
FDR	Financial Dispute Resolution Appointment, a type of judge-led mediation in financial remedy proceedings on divorce. The judge will hear from both parties and suggest what a fair outcome would be. This is not binding on the parties, but tries to encourage them to settle.
Financial remedies	The name given for sorting out the finances on divorce.
First appointment	The first hearing in a financial remedy case (finances on divorce), sometimes known as the first directions appointment.
FHDRA (pronounced Fedra)	First Hearing Dispute Resolution Appointment, a type of first court hearing in children proceedings.
File	Posting your documents to the court. See also 'serve/service' below.
Final hearing	The last hearing in a case.
FM1	Form for the person conducting your MIAMs to sign to say they

	have met with you, or for you to sign if you are exempt from a MIAM. Send it to court with forms C1 or C2; the C100 already includes the FM1 pages inside it.
FM5	Use this form to send the court your statement of position on non-court dispute resolution, including mediation, arbitration, neutral evaluation and collaborative law.
Gestational mother	The woman who was pregnant with the child. The gestational mother is always the legal mother and always has parental responsibility. She can lose these only through the child being adopted by someone else or through the making of a surrogacy parental order.
Guardian	In the context of the family court: person appointed by the court to look after the interests of the child/ren during the case. There are other types of guardian too. A testamentary guardian is someone who has responsibility for the child after the death of those with parental responsibility; they are usually appointed by Will but can be appointed by a court.
Handing down	When a judge delivers their judgment. It might be some weeks after the hearing.
IDVA	Independent domestic violence advocate (usually a worker from a DA charity)
Independent Reviewing Officer (IRO)	Each local authority has an IRO who is responsible for regularly reviewing the local authority's care plan for a child in care.
Independent social worker	A social worker not employed by the local authority. They may be employed by an agency to do reports or supervise contact.
Indirect contact	Communication between parent and child via letters, cards or gifts, ie not face to face or telephone.
Inherent jurisdiction	In ye olden days, the role of the king was as protector of his people. The High Court now has this unwritten power to protect the vulnerable. It means courts can do things that protect someone even if there is not a law saying they can. It is sometimes used to help children who are outside the country or seriously ill.
Instruct	To authorise a lawyer to represent you.
Intended parent	In surrogacy, the parent(s) who enter into a contract with the surrogate that she carries the child and then gives it to them. Surrogacy contracts are not enforceable in English law, and it is unlawful to pay a surrogate anything other than expenses.
ISVA	Independent sexual violence advocate
JJ/LJJ/P	When we see the letter J after a judge's name, that simply means they are a circuit/high court judge. For example: Hayden

	<p>J. Where there is more than one, we pluralise it by saying JJ. For example, Richards and Hayden JJ. Where there is a Court of Appeal judge, they are Lords Justices, LJ. Where there is more than one, we pluralise it by saying LJJ. For example, Black and Jackson LJJ. Where there is a P after the name of the judge, that means that person is President of the Family Division of the High Court and Head of Family Justice.</p>
Joint live-with order	<p>An order that a child lives with two people who live together (such as mum and step-dad). It is different to a shared live-with order, which is where the parties do not live together and the child therefore has two homes.</p>
Lay justices	<p>Magistrates</p>
Leave to apply	<p>Leave simply means permission. When someone needs leave to apply, it means they need a judge to give them permission to proceed with a court application. They may need leave one of for various reasons, for example because they are subject to a s91(14) order, or because there is a special guardianship order, or because they are not a close enough relationship to the child. For example, whereas parents can make a s8 application without needing leave, grandparents need leave to pursue an application for a s8 order - see s10. The application is considered by a judge and only if the judge says so can the application proceed.</p>
Legal Aid	<p>Government funding to help pay for legal expenses.</p>
Legal Executive	<p>Someone regulated by the Chartered Institute of Legal Executives. A type of lawyer. Currently not all legal executives can conduct litigation.</p>
Legitimacy	<p>A child born to married persons was legitimate. This, in the past, meant that they were entitled to inherit. A child who was illegitimate was a 'bastard'. Legitimacy is now an outmoded concept and no distinction is made in law between a legitimate and illegitimate child.</p>
Letterbox contact/mediated letterbox contact	<p>Contact by letter that takes place via a third party, such as an adoption agency. This means that birth parent writes to their child and sends the letter to the adoption agency which checks the letter and then sends it onto the adoptive family. Return letters can also be sent this way. It is a way for the parties to communicate without knowing one another's name and location. It is possible that letterbox contact can be used in cases of extreme violence where contact is indirect in this way, but it comes with significant risks of information being unintentionally disclosed.</p>
LiP	<p>Litigant in Person also known as a self-represented litigant.</p>

	Someone who is representing themselves without a lawyer.
Looked after children	A child who is in care or who is provided with accommodation by the local authority social services dept for more than 24 hours is a 'looked after' child. The local authority has a legal duty to safeguard the welfare of looked after children, provide services to them, and promote their education.
Maternal	On the mother's side, eg the maternal aunt is the mother's sister.
MIAM	Mediation Information and Assessment Meeting. This is a meeting with a mediator to talk about mediation and other ways to resolve cases without going to court. Attending this meeting is usually compulsory except for victims of domestic abuse. Check form C100 for a useful list of the main exemptions.
NFA	No Further Action (usually in relation to a police investigation)
No order principle	The 'no order' principle is found in s1(5) Children Act 1989 and states that where a court is considering whether or not to make one or more orders under this Act with respect to a child, it shall not make the order or any of the orders unless it considers that doing so would be better for the child than making no order at all.
Non-mol	Non-molestation Order – an order stopping someone from harassing another person. We have a guide on this.
NYAS	The National Youth Advocacy Service is a UK charity offering information, advice, advocacy and legal representation to children, young people and vulnerable adults. In children cases they are a legal aid provider of representation of children. For example, a NYAS officer may act as a child's litigation guardian.
Occupation order	An order deciding who can stay in a house temporarily, where there is domestic abuse or harm. It's a type of protection from domestic abuse. We have a guide on this.
Paralegal	A type of lawyer who may or may not have a law degree but who does not have the qualifications to be a solicitor, barrister, or legal executive. They are therefore relatively junior in firms although some may be experienced.
Parental order	An order made in surrogacy proceedings to end the parental status of the surrogate mother and her spouse and turn the intended parents into the legal parents of the child.
Parental responsibility (PR)	The right to make decisions about a child. Not all parents have PR, and some people who are not parents can obtain PR for a child.
Parenting assessment	An assessment, usually in care proceedings, of the ability of a someone to give 'good enough' parenting to a child. This is an

	assessment of whether a parent can, with help, learn to parent the child well enough for the child to continue to live with them. The assessment includes consideration of the parent's everyday life with the child, such as how they undertake basic parenting tasks.
Pater est presumption	The law assumes that when a woman who is married gives birth, her husband is the father. Can be disproven e.g. by DNA testing.
Paternal	On the father's side of the family, eg paternal grandmother is the father's mother.
Placement order	A placement order is a court order under Adoption and Children Act 2002 which authorises an adoption agency (usually the local authority) to place a child with potential adopters, i.e. the child goes to live with them. A placement order is not needed if there is parental consent to the placement. See sections 18 onwards of the Adoption and Children Act 2002.
Practice Direction	Guidelines directing the judges on how to implement the Family Procedure Rules.
Presumption of involvement	This is a legal rule that says that the involvement of both parties in the life of the child will enhance the child's welfare. It is being repealed as there is evidence it has led to children seeing dangerous parents.
Pre-trial review (PTR)	In complex cases, this is a hearing to check everyone has complied with directions for the case going to the final hearing/trial.
Private law proceedings	Proceedings which do not involve an agency of the state such as the local authority's children's services department. These proceedings are often between parents and relate to the child's upbringing - for example, child arrangements, prohibited steps, specific issues, parental responsibility are all private law proceedings. The opposite is public law proceedings.
Prohibited steps order (PSO)	An order under s8 Children Act 1989 that bans a parent from exercising their PR in some way, such as removing the child from the country, or changing their school or getting them circumcised, without the court's permission. If you want a parent to do something, as opposed to not to something, use a specific issues order instead. The order can impose conditions on anyone with whom the child lives or who has PR with him, even though the above refers to a parent: see s11.
Public law proceedings	Proceedings which involve an agency of the state, usually the local authority children's services department. Care and supervision cases and adoption are all examples of public law proceedings.

Reallocation	A decision by a judge that the case needs to be heard in future by a different level of judge.
Represented	Has a solicitor or barrister to represent them (speak for them) in court and deal with the legal case. If you are not represented you are a Litigant in Person.
Residence order	The old name for a live-with order.
Risk assessment	An assessment of the risk that someone poses, such as whether they are a sexual risk to their child. There are companies that specialise in risk assessments for court proceedings.
Safeguarding letter/checks	Usually sent to the court by Cafcass before the first hearing (following a conversation with relevant parties), addressing the child/ren's safety and any concerns that they might have. Cafcass will normally ring parents before the hearing to find out whether there are any allegations of domestic abuse or safety concerns.
Schedule 1 Children Act 1989	Schedule 1 contains the provisions for financial support for children. It is mostly used by unmarried parents.
Schedule of allegations	Table setting out allegations of domestic abuse in one column with the other columns saying where those allegations are dealt with in each party's witness statement.
Scott Schedule	Same as Schedule of Allegations
Second female parent	It is possible for a woman to become the second parent to the child, in addition to the mother. She is known as a second female parent. Where there is a second female parent, there is no father, as there can only be two legal parents.
Section 7 Report	Report by Cafcass or the local authority, investigating all the circumstances of the family, often including the wishes and feelings of the child/ren, and including their recommendations for future contact arrangements. Refers to section 7 Children Act 1989.
Section 8 order	Under s8 Children Act 1989, a specific issues, prohibited steps, or child arrangements order.
Section 20 Children Act 1989	The local authority's duties to provide somewhere for children to live if their parents cannot care for them. There are various rules around this, depending on the ages of the children. Section 20 is voluntary. It cannot be used by social workers to remove a child against the parents' wishes if the child is under 16 and the parent can provide or arrange accommodation for them. Section 20 Adoption and Children Act 2002 relates to consent to adoption.
Section 25 statement	A statement in financial remedy proceedings setting out your evidence about how the case should be decided, using the list

	of relevant factors listed in section 25 Matrimonial Causes Act 1973.
Section 37 Report	When the court is so concerned about the welfare of the children in private law proceedings such as child contact that it asks the local authority to look into whether it should bring care proceedings. Refers to s37 Children Act 1989.
Section 91(14) order	An order under s91(14) Children Act 1989 that requires the person named in the order to get permission to apply to court in the future, so they cannot make an application automatically. This means a judge has to say they can bring their application. It is often used where someone makes lots of nuisance applications, or where there is domestic abuse.
Serve/Service	Posting your court documents to the other party. You won't be able to use or refer to documents that the other party has not been served with, except where there is a without notice hearing (and even then, the documents are served later). There are rules around service and we have a guide to this. Email is not usually good service unless the other party agrees to accept service by email.
Shared live-with order	An order that a child lives at different times with two people who live apart from one another (such as divorced mum and dad), such as a week with mum then a week with dad.
Solicitor	A lawyer who conducts a case and may also represent a client in court. They will have passed exams and studied for a number of years, and are regulated.
Special guardian(ship) (SGO)	An order that a child lives with a special guardian who is usually a relative. It is like a live-with order but harder to end. The special guardian gets PR for the child and can override the decisions of others with PR, such as the parents. The birth parents remain the legal parents and retain PR. It's usually a long-term arrangement.
Special measures	Special arrangements that the court makes for vulnerable people to help them attend court and give evidence. This might involve using a different entrance, sitting behind a screen so you cannot see an abuser, or giving evidence by video link, or using an intermediary (a qualified communications specialist). You need to ask for special measures in order for the court to know you want them. They are available to domestic abuse victims and other vulnerable people if the court thinks their ability to participate, or the quality of their evidence, will be harmed if they don't have them.
Specific issues order (SIO)	An order under s8 Children Act 1989 giving directions for the purpose of determining a specific question which has arisen, or

	<p>which may arise, in connection with any aspect of parental responsibility for a child. The order can impose conditions on anyone with whom the child lives or who has PR with him, even though the above refers to a parent: see s11. A specific issues order could cover things such as whether the child is to attend a particular school, go abroad on holiday or to live permanently, have or not have certain medical treatment, have a certain surname, or be brought up in a particular religion. If the parents are in dispute about the child's upbringing, this is the clause you want. However, if you think you need to stop a parent from doing something (such as removing the child from school or getting them circumcised) then you may want a prohibited steps order instead.</p>
SPIP	<p>Separated Parents' Information Programme (a course which can be ordered by the court, which parents must attend)</p>
Split hearings	<p>Where a single hearing is held in two stages, such as first a fact finding and then a decision about what this means for the child.</p>
Statement of truth	<p>At the end of a witness statement, you should add the following words before you sign and date it: "I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth."</p>
Supervised contact	<p>Where contact is supervised by a professional. This may be because the parent presents a manageable risk to the child.</p>
Supervision order	<p>A supervision order places the child under the supervision of the local authority, who have to advise, assist, and befriend the child. It is for children suffering or likely to suffer significant harm and is an alternative to a care order.</p>
Supported contact	<p>Contact that is not closely supervised but where another adult is present to ensure it goes smoothly for both parent and child. This may be at a contact centre. For a higher level of supervision, see supervised contact.</p>
Transparency Order	<p>Most family cases are heard in private, meaning only journalists and legal bloggers (a specially qualified group, not everyone who wants to write about the law) can attend. What they can report about a case is set out in a transparency order. This will usually say that the parties cannot be identified. In children cases it will always say this.</p>
Trusts of land (TLATA or TOLATA)	<p>Type of civil case where one party says they have a right to a share in the value of a property in someone else's name. Often a claim made by ex-cohabitants.</p>

Twenty-six weeks	This is the time period in which care cases are meant to start and finish.
Undertaking	In legal terms, an undertaking is a solemn promise to the court, breach of which is a contempt of court. Undertakings can be usefully used to achieve things voluntarily that the court cannot order.
Wardship/ward of court	A centuries-old historical power to protect children. It means that a High Court judge makes decisions about the child's life. Wardship is sometimes used for children who are radicalised, who are abroad (outside the jurisdiction), or abducted.
Welfare checklist	A list of things the court should consider when making a decision about children.
Without notice	A hearing that only the applicant attends, and the respondent does not know about. Used only in situations where the respondent knowing about the hearing would result in harm of some kind, so the order preventing the harm needs to be in place before they are told about it. Non-molestation orders are often made without notice. Also known as 'ex parte' hearings.
Witness statement	A document setting out your evidence – what you said and did and others said and did to you. It has to follow a specific layout and be signed with a statement of truth.