

**In the Family Court sitting at** **Birmingham** [*Case No* ]

The Children Act 1989

**THE CHILDREN**

[*Please add a separate sheet if more than 4 children*]

|  |  |  |
| --- | --- | --- |
| **Name** | **Girl/boy** | **Date of Birth** |
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**DIRECTIONS ON ISSUE AND ALLOCATION OF PROCEEDINGS (SDO) *[insert date](DAY 7 after receipt of the application)***

1. [*Name of local authority]* has made an application on[*date*] for the accelerated discharge of the care order(s) made on [*Date(s)* ] in accordance with the agreed local accelerated procedure supported by the following documents:

(i) Signed certificate at appendix A of the accelerated procedure;

(ii) Documents from the Care Proceedings as detailed below;

1. Judgement
2. Agreed Threshold document
3. Care Order
4. Care Plan
5. Final Analysis of the Guardian

(iii) Chronology

(iv) A Statement in support in the agreed format

any relevant medical evidence or reports

(v) Assessment of the parents (delete if not relevant)

1. Child in Need plans (delete if not relevant)
2. If a Special Guardianship Order is being proposed, the special guardianship report and support plan
3. Signed consent form from the parents and or carer (delete if not appropriate) to the application and the Orders sought
4. Signed consent form from the parents to the disclosure of the documents from the care proceedings, into these proceedings
5. Signed consent form from the parents and the carer (delete if not appropriate) to the disclosure of the pre-proceeding’s information to Cafcass
6. The Minutes of the last Child in care Review including the recommendation of the independent reviewing officer
7. Letter of Recommendation from Cafacss.

2. The application form and supporting documents have been considered by the court which has given directions upon issue and allocation. The court has considered the papers in the absence of the parties or their legal representatives

**DELETE AS APPROPRIATE** UPON the Local Authority confirming in the application that the application is unlikely to be opposed by any party and having identified this is a case where it is not proportionate or necessary to appoint a Guardian and CAFCASS confirming that they have considered the papers and completed a paper management review and (agree that the appointment of a Guardian is not necessary/believe that there is a role for a Guardian in this case)

AND UPON the parents providing their written consent to the documents being disclosed from the Care proceedings into these proceedings

**THE COURT ORDERS:-**

1. The proceedings are allocated for case management to being the level of judge who last dealt with the original application
2. The Court hereby dispenses with service of the application and supporting documents on (please insert name of Respondent in the original care proceedings), a Respondent in the original care proceedings.
3. The court gives permission for the following documents to be disclosed into proceedings under case number BM………………… as follows:-
   1. Judgement
   2. Agreed Threshold document
   3. Care Order
   4. Care Plan
   5. Final Analysis of the Guardian
4. Any party wishing to seek further disclosure of documents from the previous proceedings must notify the local authority of the same within 7 days of service of the application
5. A Children’s Guardian is hereby appointed to represent the child(ren)/The court is not inclined to appoint a Children’s Guardian at this time as there are no matters in dispute and Cafcass have so certified.
6. The Local Authority must serve the first Respondent Mother/second Respondent father with the application and supporting documentation by 4pm on the (day 12)
7. Pursuant to paragraphs 2.1-2.3 of PD12A to the Family Procedure Rules 2010 the Case management hearing is cancelled and the directions herein shall stand as if a case management hearing had taken place today
8. The first Respondent Mother and the second Respondent father shall file and serve their response by 4pm on the (21 days from issue)
9. The Children’s Guardian, where appointed, shall file and serve an analysis by 4pm on the (12 weeks from issue). The Court considers that it is proportionate for the Guardian’s analysis to be a shortened document which it is anticipated need not exceed 2 pages in length.
10. The proceedings are listed for an **Issues Resolution/Final Hearing at [*place*] on [*date – First open date after 12 weeks*] at [*time*], before** ELH 1 hour*.*If the parties are not agreed they and their representatives are directed to attend court by 1 hour beforehand for pre-hearing discussions.

***[OR]***

1. On the basis that a Children’s Guardian has not been appointed in this matter, the proceedings shall be listed for **an Issues resolution Hearing/Early Final Hearing at [place] on [date – first open date after 28 days of issue] at [time], before ELH 1 hour.** If there are any matters to be resolved between the parties, they (or their legal advisors if they are represented) are directed to attend 1 hour beforehand for pre-hearing discussions.
2. HMCTS will refer the matter to the allocated Judge not less than five working days prior to the final hearing in order to consider:

1. whether the case remains suitable for the accelerated procedure;
2. whether the attendance of the children’s guardian, if appointed, can be dispensed with at the final hearing.
3. If considered necessary and proportionate, the parties may convene an advocates meeting not less than 2 days prior to the Issues Resolution Hearing/Early Final Hearing. Permission is granted for the parties to attend remotely
4. If, as part of the Local authority’s application, the Court is being invited to consider the making of a Special Guardianship order of its own motion and the case is capable of being resolved at this hearing, then leave is granted to the proposed special guardians to attend that this hearing.
5. The Court is to arrange for the provision of an interpreter on behalf of the following parties in the following languages:
6. The local authority shall draft a Case Management/Final Order in the prescribed form and file it with the court by [ Noon day before next hearing].
7. The local authority shall file and serve its Case Summary in the form directed by the Designated Family Judge by [time and date – Noon day before next hearing].
8. No document other than a document specified in these directions or in accordance with the Rules or the Practice Direction shall be filed by any party without the court’s permission.
9. It is the responsibility of all parties in the case to notify the Court immediately if the Court timetable becomes jeopardised by the failure of any party to comply with the timetable ordered by the Court either by C2 application on notice to all parties and marked for the attention of the case progression officer or in a form approved by the Designated Family Judge and available from the Court Office. Failure to comply with court timetables and/or notify the Court of such failures may result in hearings being ineffective and orders being made for costs.

**IMPORTANT NOTICE**

**If you are a party to these proceedings and do not have a solicitor it is vital that, in your own interests, you seek advice from one immediately. Legal aid is likely to be available to meet the cost. The case will be subject to a deadline for completion and there are likely to be many complex issues. You will be given an opportunity to put your case but the court is unlikely to allow for any unnecessary delay particularly if a party fails to comply with court orders. The court requires all parties to meet the deadlines contained in this and future orders.**