

Glossary

Adjournment	Postponing the hearing of a case to a later date or time.
Adoption	A legal procedure which transfers the parental responsibility for a child from their birth parent or other person with parental responsibility to their adopter.
Adoption Order	A permanent order granted by the court which gives the approved adopters full parental responsibility for the child and severs the legal ties between the child and birth parents.
Advocate	A legal professional, either a Solicitor or a Barrister, who speaks on your behalf at a court hearing.
Ancillary Relief	The “financial settlement” of the financial matters in a divorce which can either be separate from the divorce process, or run alongside it.
CAFCASS	The Children and Family Court Advisory and Support Service - an independent organisation who advise the court on what it considers to be in the children’s best interests.
Care Order	An order given by the court which places a child, who is suffering or is believed to be at risk of suffering significant harm, under the protection of Social Services after a Local Authority has issued care proceedings.
Care Plan	A detailed plan devised by Social Workers regarding the future care arrangements of a child who is subject to a Care Order. This includes their health, education and contact with family members.
Child Arrangement’s Order	An order which governs with whom a child is to live with, and with whom the child should have contact with and when this should occur.
Children’s Guardian	Within public law (care) proceedings, the Cafcass worker is otherwise known as the children’s Guardian in promoting their welfare and best interests.
Clean Break	A financial settlement approved by the court between two former spouses which severs the financial ties between them

	and prevents either spouse from making any future claim over assets they may later acquire.
Cohabitation	A couple who are not married but live together in the same household as a couple.
Cohabitation Agreement	An agreement between a cohabiting couple which sets out the ownership of existing assets between them, the financial responsibilities they each owe to each other, and how savings and jointly owned assets will be shared if they later separate.
Counsel	Otherwise refers to the Barrister who was been instructed to act for you.
Cross-Examination	The act of questioning witnesses on their evidence and trying to determine their credibility, this mainly occurs at a Final Hearing or Finding of Fact Hearing.
Decree Nisi	The first order issued by the court within divorce proceedings which confirms that the person seeking a divorce is entitled to bring the marriage to an end.
Decree Absolute	The final order issued by the court within divorce proceedings which legally marks the end of a marriage.
Directions Hearing	A hearing to allow the judge to review the progress of the case and consider whether further information or action is required from the parties, CAFCASS or any other relevant person.
Dispute Resolution Appointment (DRA)	A hearing that takes place in an attempt to resolve existing issues before the need for a Final Hearing.
Dissolution	The legal process of bringing a civil partnership to an end.
Divorce	The legal process of bringing a marriage to an end.
Domicile	The country where an individual permanently resides and maintains a permanent home.
Emergency Protection Order (EPO)	An order to the court from Children's Services to give them the power to remove a child or to keep a child in a safe place for a specified duration.
Fact Finding Hearing	This hearing is designed to determine whether or not allegations of domestic violence or child abuse are true based on all of the evidence, where it remains unclear and is preventing the case from progressing.
Final Hearing	A hearing to allow the judge to make a final decision after they have considered all of the evidence and the position of each party, and to conclude the proceedings.

Financial Dispute Resolution (FDR) appointment	In an application for a financial order, this hearing will allow the judge to consider the financial positions of both parties and their documentation, and encourage them to come to an agreement regarding their finances.
First Appointment/ First Hearing Dispute Resolution Appointment (FHDRA)	The first court hearing after an application has been made in private family law, allowing the court to identify the issues between the parties and their respective positions and attempt to reach an agreement.
Form E	A document completed and signed by both parties to a divorce on the exchange of financial disclosure, it sets out their financial information and aims to achieve a reasonable settlement between them. This can be done on a Voluntary basis or by order of the court.
Habitual Residence	The country whereby an individual is a resident and has an intention to settle.
Hague Convention	An international agreement made up of 90 countries to protect children from international abduction by a parent by encouraging the return of the abducted child to their country of habitual residence.
Interim Care Order	An order made by the court to temporarily place the child under the care or supervision of the Local Authority during ongoing care proceedings.
Interim Supervision Order	An order made by the court to place the Local Authority temporarily responsible for advising and assisting a child, and can include requiring the child to live in a specified place.
Litigant in Person	An individual who represents themselves throughout their legal proceedings without instructing a Solicitor or Barrister.
Looked after child	A child who has been placed in the care or accommodation of the Local Authority and has remained there for more than 24 hours by authority.
Matrimonial Home	The residence whereby a husband and wife have lived together during the duration of their marriage. I.e. the family home.
McKenzie friend	Someone who is able to join you in court if you are not legally represented. You require the courts permission to bring your McKenzie friend into the proceedings and they are there to offer you moral support.
Mediation	The process of trying to negotiate financial settlement or future arrangements for children and resolve issues in

dispute. Mediation is facilitated for by an independent and neutral third party, avoiding the need for court intervention.

Non-Molestation Order	An order granted by the court which protects a person and controls the behaviour of the alleged perpetrator by putting restrictions and prohibitions in place.
Occupation Order	An order granted by the court to regulate who should live in a property, or who should be excluded from the property or a defined surrounding area.
Parental Responsibility	All the rights, duties, powers and responsibilities and authority which by law a parent of a child has in relation to the child and his property. This includes making important decisions such as where the child goes to school.
Prohibited Steps Order	An order granted by the court which prevents either parent from carrying out certain actions in relation to a child without the express permission of the other parent.
Review Hearing	A hearing to allow the judge to review the progress of the case since the making of the last order and consider whether the order needs amending.
Special Guardianship Order	An order made by the court which places a child in the long-term care of someone until they reach 18 years old. They share parental responsibility with the child's birth parents but have power to make day to day decisions for the child without their agreement.
Special Guardian	The person with whom the child is placed with and appointed as in the Special Guardianship Order to care for the child.
Specific Issue Order	An order granted by the court which often arises where the parents of a child with parental responsibility are unable to come to an agreement on a decision regarding the child.
Undertaking	A solemn promise to the court to do something or to not do something. A breach of an undertaking is punishable as contempt of court and can result in a fine or imprisonment.
Without Prejudice	The rule that any statements made in writing or orally, in an attempt to come to an agreement and resolve a dispute, will not be admissible in court as evidence should the issue/s remain in dispute.
Without Notice	Asking the court to consider your application without the other parent having knowledge of it. This is often only granted where there is exceptional urgency.