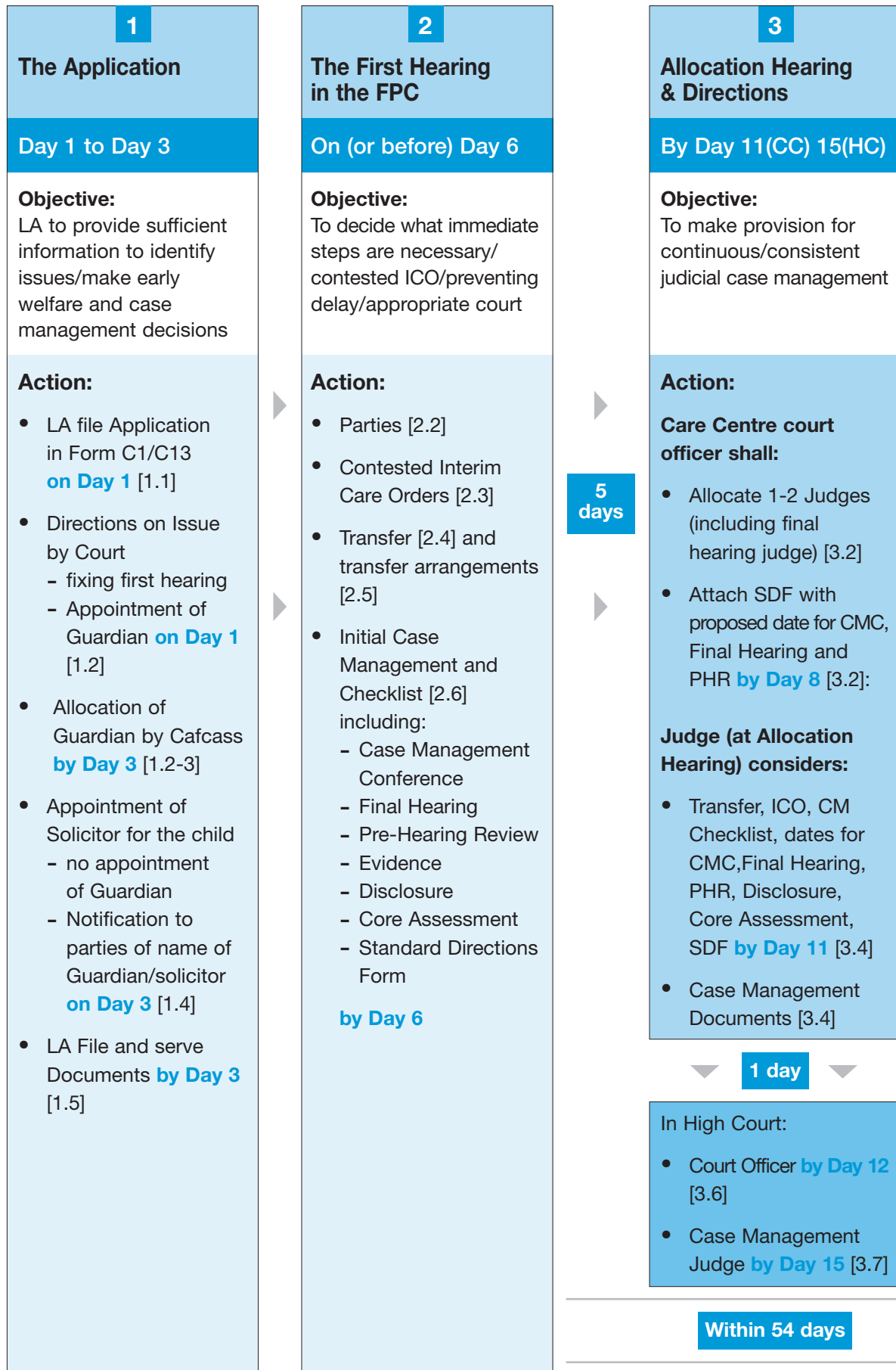
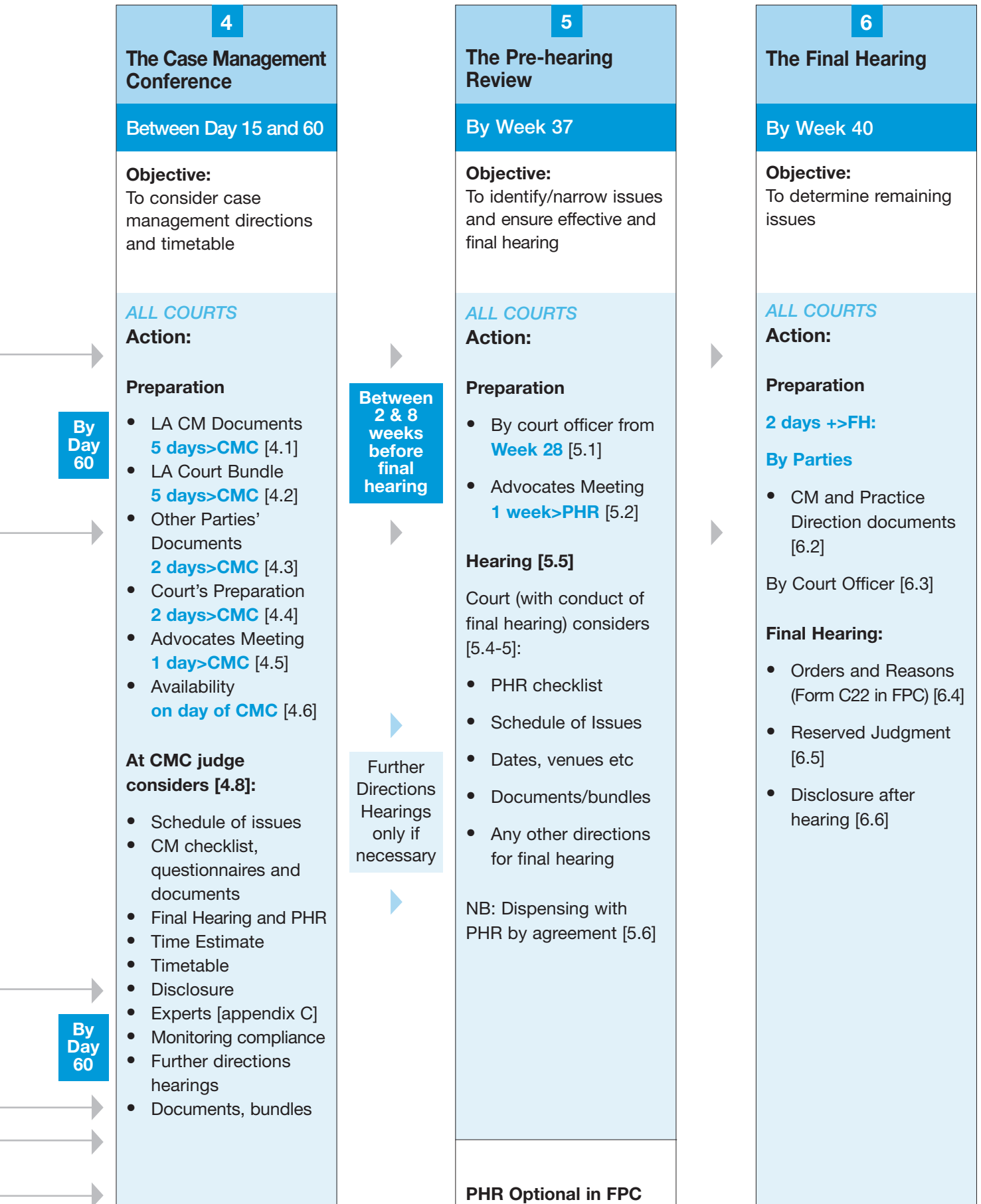


The Protocol – Route Map - The 6 Steps





Days

Where target times are expressed in days, the days are “court business days” in accordance with the Rules (principles of application para 10)

STEP 1: The Application

<p>Objective</p> <p>To provide sufficient information about the Local Authority's (LA) case to enable:</p> <ul style="list-style-type: none"> • The parties and the Court to identify the issues • The Court to make early welfare and case management decisions about the child 	<p>Target time: by DAY 3</p>
Action	Party and Timing
<p>1.1 LA Application</p> <p>When a decision is made to apply for a care or supervision order the LA shall:</p> <ul style="list-style-type: none"> • File with the Court an application in form C1 • Set out in form C13 under 'Reasons' a summary of all facts and matters relied upon, in particular, those necessary to satisfy the threshold criteria and / or • Refer in the Reasons to any annexed schedules setting out the facts and matters relied upon • Not state that the Reasons are those contained in the evidence filed or to be filed. 	<p>LA on DAY 1</p>
<p>1.2 Directions on Issue</p> <p>On the day the application is filed (DAY 1) the Court shall:</p> <ul style="list-style-type: none"> • Issue the application • Issue a notice in form C6 to the LA fixing a time and a date for the First Hearing which shall be not later than on DAY 6 • Appoint a Guardian (unless satisfied that it is not necessary to do so to safeguard the child's interests) • Inform CAFCASS of the decision to appoint and the request to allocate a Guardian. 	<p>Court on DAY 1</p>

Action	Party and Timing
<p>1.3 Allocation of the Guardian by CAFCASS</p> <p>Within 2 days of issue (by DAY 3) CAFCASS shall inform the Court of:</p> <ul style="list-style-type: none"> • The name of the allocated Guardian or • The likely date upon which an allocation will be made. 	<p>CAFCASS by DAY 3</p>
<p>1.4 Appointment of the Solicitor for the Child</p> <p>When a Guardian is allocated the Guardian shall on that day:</p> <ul style="list-style-type: none"> • Appoint a solicitor for the child • Inform the Court of the name of the solicitor appointed • In the event that the Guardian’s allocation is delayed and the Court has already appointed a solicitor, ensure that effective legal representation is maintained <p>Where a Guardian is not allocated within 2 days of issue, the Court shall on DAY 3:</p> <ul style="list-style-type: none"> • Consider when a Guardian will be allocated • Decide whether to appoint a solicitor for the child <p>In any event on the day the appointment is made the Court shall:</p> <ul style="list-style-type: none"> • Notify all parties on form C46 of the names of the Guardian and/or the solicitor for the child who have been appointed. 	<p>Guardian on DAY 3</p> <p>FPC on DAY 3</p> <p>FPC on DAY 3</p>
<p>1.5 LA Documents</p> <p>Within 2 days of issue (by DAY 3) the LA shall file and serve on all parties, the solicitor for the child and CAFCASS the following documents:</p> <ul style="list-style-type: none"> • The forms C1 and C13 and any supplementary forms and notices issued by the Court • Any relevant court orders relating to the child (together with the relevant Justices Facts and Reasons in form C22 and any relevant judgments that exist) • The initial social work statement (appendix B/3) • The social work chronology (appendix B/2) 	<p>LA by DAY 3</p>

Action	Party and Timing
<ul style="list-style-type: none">• The core or initial assessment reports (appendix F)• Any section 37 report• Any other additional evidence including specialist assessments or reports which then exist and which are relied upon by the LA.	

STEP 2: The First Hearing in the FPC

<p>Objective</p> <p>To decide what immediate steps are necessary to safeguard the welfare of the child by:</p> <ul style="list-style-type: none"> • Determining contested interim care order applications/with whom the child will live • Identifying how to prevent delay • Identifying the appropriate Court • Transferring to the appropriate Court 	<p>Target time: by DAY 6</p>
Action	Party and Timing
<p>2.1 The First Hearing</p> <p>The First Hearing shall take place in the Family Proceedings Court (FPC) on or before DAY 6. At every First Hearing the FPC shall:</p> <ul style="list-style-type: none"> • Consider who should be a party to the proceedings (step 2.2) • Make arrangements for contested interim care applications to be determined (step 2.3) • Consider whether the proceedings should be transferred to the Care Centre or another FPC (step 2.4) • Where the proceedings are not transferred, make initial case management decisions (step 2.6). 	<p>FPC on DAY 6</p>
<p>2.2 Parties and Service</p> <p>At the First Hearing the FPC shall:</p> <ul style="list-style-type: none"> • Obtain confirmation that all those who are entitled to be parties have been served • Consider whether any other person should be joined as a party • Give directions relating to party status and the service of documents upon parties. 	<p>FPC on DAY 6</p>

Action	Party and Timing
<p>2.3 Contested Interim Care Orders</p> <p>In any proceedings where the application for an interim care order (ICO) is not agreed at the First Hearing, the FPC shall:</p> <ul style="list-style-type: none"> • Decide whether to grant an order and if so what order; or • List the application for an urgent contested interim hearing in an FPC prior to the Case Management Conference (CMC); and • Give such case management directions as are necessary to ensure that the interim hearing will be effective; or • Transfer the proceedings to be heard at the Care Centre. 	<p>FPC on DAY 6</p>
<p>2.4 Urgency and Transfer</p> <p>At the First Hearing the FPC shall:</p> <ul style="list-style-type: none"> • Hear submissions as to complexity, gravity and urgency • Consider whether transfer to another Court is appropriate and in any event determine any application made by a party for transfer • Give reasons for any transfer decision made and record the information provided by the parties relating to transfer on form C22 (including any intention to apply for transfer to the High Court) • Send the court file and the Order of transfer in form C49 to the receiving court within 1 day of the First Hearing (by DAY 7). 	<p>FPC on DAY 6</p>
<p>2.5 Proceedings Transferred to the Care Centre</p> <p>Where a decision is made to transfer to the Care Centre, the FPC shall:</p> <ul style="list-style-type: none"> • In accordance with the arrangements set out in the Care Centre Plan (CCP) and the FPC Plan (FPCP) (appendix E), immediately inform the court officer at the Care Centre of the transfer and of the reasons set out on form C22 • Obtain a date and time from the court officer for an Allocation Hearing/contested interim hearing in the Care Centre which shall be between 3 and 5 days of the decision to transfer (by DAY 11) • Notify the parties of the Care Centre to which the proceedings are transferred and of the date and time of the Allocation Hearing / contested interim hearing 	<p>FPC on DAY 6</p>

Action	Party and Timing
<ul style="list-style-type: none"> • Direct the LA or the child’s solicitor to prepare a case synopsis (appendix B/1) which shall be filed with the Care Centre and served within 2 days of the First Hearing in the FPC (by DAY 8) • Except as to disclosure of documents, make only those case management directions upon transfer as are agreed with the Care Centre as set out in the CCP and the FPCP. 	
<p>2.6 Case Management in the FPC</p> <p>In any case where the proceedings are NOT transferred to the care centre the FPC shall at the First Hearing:</p> <ul style="list-style-type: none"> • Consider the case management checklist (appendix A/3) • Fix a date and time for a Case Management Conference (CMC) in the FPC within 54 days of the First Hearing (between DAYS 15 and 60) unless all of the case management decisions set out at step 4.8 of this protocol can be taken at the First Hearing and the application can be listed for Final Hearing • Fix a date for the Final Hearing or if it is not possible to do so fix a hearing window (either of which shall be not later than in the 3 week period commencing the 37th WEEK after the application was issued) • Consider whether a Pre Hearing Review (PHR) is necessary and if so fix a PHR not later than 2 weeks and no earlier than 8 weeks before the Final Hearing date/window • Give such case management directions as are necessary to ensure that all steps will have been taken prior to the CMC to enable it to be effective, in particular: <ul style="list-style-type: none"> • that a statement of evidence from each party (including the child where of sufficient age and understanding, but excluding the child’s Guardian) is filed and served replying to the facts alleged and the proposals made by the LA in the initial social work statement • whether directions as to full and frank disclosure of all relevant documents need to be given and in any event give directions where necessary to ensure that the disclosure of relevant documents by the LA occurs within 20 days of the First Hearing (by DAY 26) • whether a core assessment (appendix F) exists or should be directed to be undertaken by the LA before the CMC • Record on the Standard Directions Form (SDF) (appendix A/1) the Court’s case management decisions and reasons and serve the directions given on the parties 	<p>FPC on DAY 6</p>

STEP 2: The First Hearing in the FPC

Action	Party and Timing
<p>2.7 The FPC shall give a direction at the First Hearing that no further documents shall be filed without the Court’s permission unless in support of a new application or in accordance with case management directions given at that hearing (the Court will consider directions relating to the filing of comprehensive evidence and documents at the CMC)</p>	

STEP 3: Allocation Hearing & Directions

<p>Objective</p> <p>To make provision for continuous and consistent judicial case management</p>	<p>Target time: by DAY 11</p>
Action	Party and Timing
<p>3.1 Following Transfer</p> <p>Following transfer to the Care Centre or to the High Court all further hearings in the proceedings shall be conducted:</p> <ul style="list-style-type: none"> • So as to ensure judicial continuity of case management in accordance with the protocol; • By one or not more than 2 judges who are identified as case management judges in the CCP (appendix E/1), one of whom may be and where possible should be the judge who will conduct the Final Hearing 	<p>Care Centre from DAY 6</p>
<p>3.2 Allocation in the Care Centre</p> <p>Within 2 days of the order transferring proceedings to the Care Centre (normally by DAY 8) the court officer shall:</p> <ul style="list-style-type: none"> • Allocate one and not more than two case management judges (one of whom may be and where possible should be the Judge who will conduct the Final Hearing) to case manage the proceedings in accordance with the protocol and the CCP • Where possible, identify the judge who is to be the Final Hearing judge • Upon receipt of the court file from the FPC, attach to the file the form C22 issued by the FPC, the case synopsis (appendix B/1) and a Standard Directions Form (SDF) (appendix A/1) and complete the SDF to the extent only of: <ul style="list-style-type: none"> • the names of the allocated and identified judges • the proposed date of the CMC (which shall be within 54 days of the date of the First Hearing in the FPC i.e. between DAYS 15 and 60) • the proposed Final Hearing date or hearing window (which shall be not later than in the 3 week period commencing the 37th WEEK after the application was issued) 	<p>Court Officer by DAY 8</p>

Action	Party and Timing
<ul style="list-style-type: none"> the proposed date of the PHR (which shall be not later than 2 weeks and no earlier than 8 weeks before the Final Hearing / trial window) Inform the case management judge in writing: <ul style="list-style-type: none"> of any other circumstances of urgency of any contested interim hearing for an ICO of any application to transfer to the High Court of the date and time of the Allocation Hearing (which shall be between 3 and 5 days of the First Hearing in the FPC i.e. by DAY 11) Notify the parties of the date, time and venue fixed for the Allocation Hearing, together with the identity of the allocated / nominated judges 	
<p>3.3 Section 37 Request for a Report and Transfer to a Care Centre</p> <p>Where in any family proceedings a Court decides to direct an appropriate LA to investigate a child’s circumstances, the Court shall follow the guidance set out at appendix G.</p> <p>Where, following a section 37 request for a report, proceedings are transferred to the Care Centre:</p> <ul style="list-style-type: none"> The transferring court shall make a record of the Court’s reasons for the transfer on form C22 and the court officer of the transferring court shall send the court file, the order of transfer in form C49 and the record of reasons to the Care Centre within 1 day of the order The court officer in the care centre shall within 2 days of the order transferring the proceedings take the steps set out at paragraph 3.2 and shall also: <ul style="list-style-type: none"> inform the case management judge in writing of the transfer (and such circumstances as are known) request the case management judge to consider giving directions as to the appointment of a Guardian and / or a solicitor for the child at or before the Allocation Hearing notify all parties on form C46 of the names of the Guardian and / or the solicitor for the child when they are appointed inform the LA solicitor or the child’s solicitor of the requirement that a case synopsis (appendix B/1) be prepared which shall be filed with the care centre and served not later than 2 days before the date fixed for the Allocation Hearing. 	<p>Court Officer within 2 days of the order of transfer</p>

Action	Party and Timing
<p data-bbox="193 264 624 304">3.4 Allocation Hearing</p> <p data-bbox="293 342 1054 490">The Allocation Hearing in the Care Centre shall take place between 3 and 5 days of the First Hearing in the FPC (by DAY 11). At the Allocation Hearing the case management judge shall:</p> <ul data-bbox="293 533 1086 2011" style="list-style-type: none"> • Consider whether the proceedings should be transferred to the High Court or re-transferred to the FPC • Determine any contested interim application for a care or supervision order • Where the proceedings have been transferred from a court following a section 37 request consider: <ul data-bbox="331 757 1078 972" style="list-style-type: none"> • whether directions should be given to appoint a Guardian and / or a solicitor for the child in accordance with steps 1.2 to 1.4 of the protocol • whether any directions need to be given for the filing and service of LA documents in accordance with step 1.5 of the protocol • Consider the case management checklist (appendix A/3) • Fix a date and time for a CMC which shall be within 54 days of the First Hearing in the FPC (between DAYS 15 and 60) • Fix a date for the Final Hearing and confirm the identity of the Final Hearing judge or if it is not possible to do so fix a hearing window (either of which shall be not later than in the 3 week period commencing the 37th WEEK after the application was issued) • Fix a date and time for a PHR which shall be not later than 2 weeks and no earlier than 8 weeks before the Final Hearing date or window • Give such case management directions as are necessary to ensure that all steps will have been taken prior to the CMC to enable it to be effective, in particular: <ul data-bbox="331 1541 1086 2011" style="list-style-type: none"> • that a statement of evidence from each party (including the child where of sufficient age and understanding, but excluding the child's Guardian) is filed and served replying to the facts alleged and the proposals made by the LA in the initial social work statement • whether directions as to full and frank disclosure of all relevant documents need to be given and in any event give directions where necessary to ensure that the disclosure of relevant documents by the LA occurs within 20 days of the First Hearing (by DAY 26) • whether a core assessment (appendix F) exists or should be directed to be undertaken by the LA before the CMC 	<p data-bbox="1102 271 1369 376">Case Management Judge by DAY 11</p>

Action	Party and Timing
<ul style="list-style-type: none"> • Having regard to the <i>Practice Direction (Family Proceedings: Court Bundles)</i> [2000] 1 FLR 536 (appendix D), if applicable, give directions to the LA setting out which of the following case management documents in addition to the case management questionnaire (appendix A/2) are to be filed and served for use at the CMC: <ul style="list-style-type: none"> • a schedule of findings of fact which the Court is invited to make (in particular so as to satisfy the threshold criteria) • any update to the social work chronology (appendix B/2) that may be required • the initial care plan (appendix F) • if there is a question of law: a skeleton argument with authorities • a summary of the background (only if necessary to supplement the case synopsis) • an advocate’s chronology (only if necessary to supplement the social work chronology or the case synopsis) • Having regard to appendix D, give directions to the LA setting out the form of bundle or documents index that the Court requires • Complete the SDF (appendix A/1) to record the Court’s case management decisions and reasons. 	
<p>3.5 Case Management Questionnaire</p> <p>Within 1 day of the Allocation Hearing (on DAY 12) the court officer shall serve on each party:</p> <ul style="list-style-type: none"> • the completed SDF together with a • case management questionnaire (appendix A/2). 	<p>Court Officer on DAY 12</p>
<p>3.6 Allocation in the High Court</p> <p>Where an application is transferred to the High Court, the court officer shall within 1 day of the Allocation Hearing (on DAY 12):</p> <ul style="list-style-type: none"> • In consultation with the Family Division Liaison Judge (or if the proceedings are transferred to the RCJ, the Clerk of the Rules) allocate a judge of the High Court who shall be the case management judge (and who may be the judge who will conduct the final hearing) to case manage the proceedings in accordance with the protocol and the CCP 	<p>Court Officer on DAY 12</p>

Action	Party and Timing
<ul style="list-style-type: none"> • If necessary to accord with the CCP, allocate a second case management judge in the Care Centre who shall be responsible to the allocated High Court judge for case management of the proceedings • Where possible, identify a judge of the High Court to be the Final Hearing judge • Attach to the court file the form C22 issued by the FPC, the case synopsis (appendix B/1) and a SDF (appendix A/1) and complete the SDF to the extent only of: <ul style="list-style-type: none"> • the names of the allocated judges • the date of the CMC (which shall be within 54 days of the date of the First Hearing in the FPC i.e. between DAYS 15 and 60) • the proposed Final Hearing date or window (which shall be not later than in the 3 week period commencing the 37th WEEK after the application was issued) • the proposed date of the PHR (which shall be not later than 2 weeks and no earlier than 8 weeks before the Final Hearing or window) • Inform the case management judge in writing of: <ul style="list-style-type: none"> • any other circumstance of urgency • any contested hearing for an ICO • Within 1 day of receipt of the court file and completed SDF from the allocated High Court judge (by DAY 16), send to each party a copy of the completed SDF together with a case management questionnaire (appendix A/2) 	<p style="text-align: right;">Court Officer on DAY 16</p>
<p>3.7 Allocation Directions in the High Court</p> <p>Within 3 days of receipt of the court file (by DAY 15) the allocated case management judge shall:</p> <ul style="list-style-type: none"> • Consider the case management checklist (appendix A/3) • Complete the SDF (appendix A/1) having regard to those matters set out at step 3.4 • Return the court file and the completed SDF to the court officer. 	<p style="text-align: right;">Case Management Judge by DAY 15</p>

STEP 4: The Case Management Conference

STEP
4

<p>Objective</p> <p>To consider what case management directions are necessary</p> <ul style="list-style-type: none"> To ensure that a fair hearing of the proceedings takes place To timetable the proceedings so that the Final Hearing is completed within or before the recommended hearing window 	<p>Target time: between DAYS 15 and 60</p>
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Action	Party and Timing
<p>4.1 LA Case Management Documents</p> <p>In every case the LA shall not later than 5 days before the CMC prepare, paginate, index, file and serve:</p> <ul style="list-style-type: none"> The case management documents for the CMC that have been directed at the Allocation Hearing / Directions (step 3.4) and A case management questionnaire (appendix A/2) 	<p>LA not later than 5 days before the CMC</p>
<p>4.2 The Court Bundle</p> <p>Not later than 5 days before the date fixed for the CMC, the LA shall:</p> <ul style="list-style-type: none"> For hearings to which the <i>Practice Direction (Family Proceedings: Court Bundles)</i> [2000] 1 FLR 536 (appendix D) applies or in accordance with any direction given at a First Hearing or Allocation Hearing, file with the Court a bundle Serve on each of the represented parties an index to the bundle Serve on any un-represented party a copy indexed bundle For hearings to which appendix D does not apply, serve on all parties an index of the documents that have been filed 	<p>LA not later than 5 days before the CMC</p>

Action	Party and Timing
<p>4.3 Other Party’s Case Management Documents</p> <p>Not later than 2 days before the date of the CMC each party other than the LA shall:</p> <ul style="list-style-type: none"> • File with the Court and serve on the parties the following case management documents <ul style="list-style-type: none"> • a position statement which sets out that party’s response to the case management documents filed by the LA indicating the issues that are agreed and those that are not agreed. (A Guardian’s position statement on behalf of the child should comment on the LA’s arrangements and plans for the child) • a completed case management questionnaire (appendix A/2) • Not file any other case management documents without the prior direction of the Court 	<p>All Parties except the LA not later than 2 days before the CMC</p>
<p>4.4 The Court’s Preparation</p> <p>Not later than 2 days before the CMC the court officer shall:</p> <ul style="list-style-type: none"> • Place the case management documents of all parties at the front of the court file and at the front of any bundle that is filed by the LA • Deliver the court file and bundle to the case management judge who is to conduct the CMC • Ensure that any arrangements for video and telephone conferencing and with criminal and civil listing officers have been made 	<p>Court Officer not later than 2 days before the CMC</p>
<p>4.5 Advocates Meeting</p> <p>Before the day fixed for the CMC or (where it has not been practicable to have an earlier meeting) not later than 1 hour before the time fixed for the CMC, the parties and / or their lawyers shall:</p> <ul style="list-style-type: none"> • Meet to identify and narrow the issues in the case • Consider the case management checklist (appendix A/3) • Consider the case management questionnaires (appendix A/2) • Consider in accordance with the experts code of guidance (appendix C) whether and if so why any application is to be made to instruct an expert 	<p>Advocates on or before the day of the CMC</p>

Action	Party and Timing
<ul style="list-style-type: none"> • Consider whether full and frank disclosure of all relevant documents has taken place • Draft a composite schedule of issues (appendix B/4) which identifies: <ul style="list-style-type: none"> • a summary of the issues in the case • a summary of issues for determination at the CMC by reference to the case management questionnaires / case management checklist • the timetable of legal and social work steps proposed • the estimated length of hearing of the PHR and of the Final Hearing • the order which the Court will be invited to make at the CMC 	All Parties on DAY 34
<p>4.6 Availability</p> <p>On the day of the CMC the parties shall complete and file with the Court:</p> <ul style="list-style-type: none"> • A witness non-availability form (appendix A/4) • A schedule (so far as it is known) of the names and contact details (professional addresses, telephone, fax, DX and e-mail) of: <ul style="list-style-type: none"> • the lead social worker and team manager • the Guardian • solicitors and counsel / advocates for each party • un-represented litigants • any experts upon whose evidence it is proposed to rely 	
<p>4.7 Conduct of the CMC</p> <p>The CMC shall be conducted by one of the allocated case management judges or as directed by the FPC case management legal adviser in accordance with the protocol. It is the essence of the protocol that case management through to Final Hearing must be consistently provided by the same case management judges / legal advisers / FPCs.</p> <p>All advocates who are retained to have conduct of the final hearing shall:</p> <ul style="list-style-type: none"> • Use their best endeavours to attend the CMC and must do so if directed by the Court • Bring to the CMC details of their own availability for the 12 month period following the CMC • Attend the advocates meeting before the CMC 	

Action	Party and Timing
<p data-bbox="196 264 515 304">4.8 The Hearing</p> <p data-bbox="296 349 1018 383">At the CMC the case management judge / court shall:</p> <ul data-bbox="296 427 1078 2056" style="list-style-type: none"> • Consider the parties' composite schedule of issues (appendix B/4) • Consider the case management checklist (appendix A/3) • Consider the parties' case management questionnaires (appendix A/2) and case management documents (steps 3.4 and 4.3) • If not already fixed at the First or Allocation Hearing, fix the date of the Final Hearing which shall be not later than in the 3 week period commencing the 37th WEEK after the application was issued • If not already fixed, fix the date and time of the PHR which shall be not later than 2 weeks before and no earlier than 8 weeks before the Final Hearing • Give a time estimate for each hearing that has been fixed • Consider whether any hearing can take place using video, telephone or other electronic means • Consider any outstanding application of which notice has been given to the Court and to the parties in accordance with the rules • Give all necessary case management directions to: <ul data-bbox="336 1171 1078 2056" style="list-style-type: none"> • timetable all remaining legal and social work steps • ensure that full and frank disclosure of all relevant documents is complete • ensure that a core assessment (appendix F) or other appropriate assessments materials will be available to the Court • ensure that if any expert is to be instructed the expert and the parties will complete their work for the Court within the Court's timetable and in accordance with the experts code of guidance (appendix C) • provide for regular monitoring of the Court's case management directions to include certification of compliance at each ICO renewal and the notification to the Court by the Guardian and by each responsible party of any material non compliance • permit a further directions hearing before the allocated case management judge in the event of a change of circumstances or significant non compliance with the directions of the Court • update, file and serve such of the existing case management documents as are necessary • update, file and serve a court bundle / index for the PHR and for the Final Hearing • ensure that the PHR and Final Hearing will be effective 	<p data-bbox="1106 271 1286 383" style="text-align: center;">Case Management Judge</p>

STEP 5: The Pre-Hearing Review

 STEP
5

Objective	Target time: by WEEK 37	
<p>To identify and narrow the remaining issues between the parties and ensure that the Final Hearing is effective</p>		
Action	Party and Timing	
<p>5.1 The Court's Preparation</p> <p>The court officer shall:</p> <ul style="list-style-type: none"> • In circumstances where no PHR direction has been given, send the court file / bundle to the case management judge during WEEK 28 with a request for confirmation that no PHR is necessary or for a direction that a PHR be listed • Notify the parties of any PHR direction given by the case management judge • List a PHR where directions have been given by the case management judge (not earlier than 8 weeks and not later than 2 weeks before the Final Hearing i.e. between WEEKS 29 and 37) • Not later than 2 days before the PHR: <ul style="list-style-type: none"> • place the updated case management documents directed at the CMC (if any) at the front of the court file and at the front of any bundle that is filed by the LA • deliver the court file / bundle to the judge / FPC nominated to conduct the PHR • ensure that any arrangements for video and telephone conferencing and with criminal and civil listing officers have been made 	Court Officer	from WEEK 28
<p>5.2 Advocates Meeting</p> <p>In the week before the PHR the advocates who have conduct of the Final Hearing shall:</p> <ul style="list-style-type: none"> • Communicate with each other and if necessary meet to identify and narrow the issues to be considered by the Court at the PHR and the Final Hearing • Consider the pre-hearing review checklist (appendix A/5) 	Advocates	in the week before the PHR

Action	Party and Timing	
<ul style="list-style-type: none"> • 2 days before the PHR file a composite schedule of issues (appendix B/4) which shall set out: <ul style="list-style-type: none"> • a summary of issues in the case • a summary of issues for determination at the PHR • a draft witness template • the revised estimated length of hearing of the Final Hearing • whether the proceedings are ready to be heard and if not, what steps need to be taken at the PHR to ensure that the proceedings can be heard on the date fixed for the Final Hearing • the order which the Court will be invited to make at the PHR 		
<p>5.3 Case Management Documents</p> <p>No case management documents are to be filed for use at a PHR except:</p> <ul style="list-style-type: none"> • Any updated case management documents directed by the case management judge at the CMC (step 4.8) • The composite schedule of issues (appendix B/4) • Documents in support of a new application. 	Advocates	between WEEKS 29 and 30
<p>5.4 Conduct of the PHR</p> <p>The PHR (or any directions hearing in the FPC which immediately precedes a Final Hearing) shall be listed before the judge / FPC nominated to conduct the Final Hearing. In exceptional circumstances the Court may in advance approve the release of the PHR but only to one of the allocated case management judges.</p> <p>The advocates who are retained to have conduct of the Final Hearing shall:</p> <ul style="list-style-type: none"> • Use their best endeavours to secure their release from any other professional obligation to enable them to attend the PHR • Update the case management documents as directed at the CMC • Attend the advocates meeting. 		

Action	Party and Timing
<p>5.5 The Hearing</p> <p>At the PHR the Court shall:</p> <ul style="list-style-type: none"> • Consider the pre-hearing review checklist (appendix A/5) • Consider the parties' composite schedule of issues (appendix B/4) • Confirm or give a revised time estimate for the Final Hearing • Confirm the fixed dates, venues and the nominated judge for the Final Hearing • Give such directions as are necessary to update the existing case management documents and the Court bundle / index having regard to the application of the <i>Practice Direction (Family Proceedings: Court Bundles) [2000] 1 FLR 536 (appendix D)</i> • Give such directions as are necessary to ensure that the Final Hearing will be effective 	<p>Court at the PHR</p>
<p>5.6 Dispensing with the PHR</p> <p>Where the requirements of an advocates meeting have been complied with and all parties certify (in the composite schedule of issues) that:</p> <ul style="list-style-type: none"> • The proceedings are ready to be heard • There has been compliance with the directions of the Court and • There is agreement by all parties to all of the directions proposed having regard to the pre-hearing review checklist (appendix A/5) <p>The Court may decide to dispense with the PHR or deal with it on paper or by electronic means, including computer, video or telephone conferencing</p>	<p>All Parties before the PHR</p>

STEP 6: The Final Hearing

Objective	Target time: by WEEK 40	
To determine the remaining issues between the parties		
Action	Party and Timing	
<p>6.1 The Hearing</p> <p>The Final Hearing shall be conducted by:</p> <ul style="list-style-type: none"> The judge or FPC identified in the allocation directions as confirmed at the PHR <p>Where one of the allocated case management judges or an FPC has heard a substantial factual issue or there has been a ‘preliminary hearing’ to determine findings of fact it is necessary for the same judge / magistrates who conducted the preliminary hearing to conduct the Final Hearing.</p>	<p>Judge / FPC nominated for the Final Hearing</p>	
<p>6.2 Case Management and Practice Direction Documents</p> <p>Not later than 2 days before the Final Hearing the parties shall:</p> <ul style="list-style-type: none"> Prepare, file and serve the case management documents for the Final Hearing as directed by the Court at the PHR Prepare, file and serve the court bundle or index of court documents as directed by the Court at the PHR 	<p>All Parties</p>	<p>not later than 2 days before the Final Hearing</p>
<p>6.3 The Court’s Preparation</p> <p>Not later than 2 days before the Final Hearing the court officer shall:</p> <ul style="list-style-type: none"> Place any case management documents at the front of the court file and at the front of any bundle that is filed by the LA 	<p>Court Officer</p>	<p>not later than 2 days before the Final Hearing</p>

Action	Party and Timing	
<ul style="list-style-type: none"> • Deliver the court file / bundle to the judge / FPC nominated to conduct the Final Hearing • Ensure that any arrangements for the reception of evidence by video link and telephone conferencing, interpreters, facilities for disabled persons and special measures for vulnerable or intimidated witnesses have been made 		
<p>6.4 Orders and Reasons</p> <p>At the conclusion of the Final Hearing the Court shall:</p> <ul style="list-style-type: none"> • Set out the basis / reasons for the orders made or applications refused in a judgment and where appropriate in the form of recitals to the order or in the case of an FPC in form C22 • Annexe to the order the agreed or approved documents setting out the threshold criteria and the care plan for the child • Where the judgment is not in writing give consideration to whether there should be a transcript and if so who will obtain and pay for it 	Court	at the Final Hearing
<p>6.5 Reserved Judgment</p> <p>In a complex case a judge (but not an FPC) may decide to reserve judgment and take time for consideration. Where judgment is reserved the Court will endeavour to fix a date for judgment to be given or handed down within 20 days (4 weeks) of the conclusion of submissions. Advocates may be invited to make oral or written submissions as to consequential orders and directions at the conclusion of submissions or when the draft judgment is released.</p>	Judge	at the end of submissions

Action	Party and Timing
<p data-bbox="196 264 475 302">6.6 Disclosure</p> <p data-bbox="293 344 1062 454">At the end of every Final Hearing the Court shall consider whether to give directions for disclosure of documents, for example:</p> <ul data-bbox="293 495 1050 786" style="list-style-type: none"> <li data-bbox="293 495 1050 712">• In any case where it is proposed that the child should be placed for adoption and so that subsequent adoption proceedings are not delayed, to the LA adoption panel, specialist adoption agency and / or proposed adopters and their legal advisers for use in subsequent adoption proceedings <li data-bbox="293 719 842 752">• For any medical or therapeutic purpose <li data-bbox="293 759 799 786">• For a claim to be made to the CICA 	<p data-bbox="1169 271 1390 416">Court at the end of the Final Hearing</p>