

Different types of court orders

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In the UK family courts, various types of applications and legal orders can be made depending on the circumstances and needs of those involved. Below are some of the orders that can be applied for.

Things to note:

You cannot apply to the family courts without attending a Mediation Information and Assessment Meeting (MIAM). This is a meeting between you and a Mediator to discuss the process of Mediation and your personal situation (unless you are granted a MIAM exemption by the court).

Once a MIAM has been attended, if you wish to apply for one of the following orders, your Mediator will complete and return a form confirming your attendance.

When applying for one of the following orders, you can either attend court on your own (known as litigant in person) or instruct a solicitor who will attend with you.

Most common orders

Child Arrangements Orders (CAO)

These orders often specify the living arrangements for a child following parental separation. It covers two main aspects:

1. Where and with whom the child or children will live.
2. How and when the child will spend time with the other parent or other significant individuals in the child's life.

A CAO can also include provisions regarding the child's education, holidays, and other aspects of their upbringing. The court prioritises the child's best interests when making a CAO, considering factors such as the child's wishes, the parents' capabilities, and the child's emotional, educational, and physical needs.

Financial Orders

These orders can cover a range of financial matters, including the division of assets, property, savings, pensions, income and spousal maintenance payments.

Financial orders aim to achieve a fair distribution of finances, ensuring that both parties and any children involved are adequately provided for following the separation. The court considers various factors such as the length of the marriage, the parties' financial needs, contributions, and future earning potential when making these decisions.

Parental Responsibility Orders

These orders grant a person parental responsibility for a child. Typically, this applies to unmarried fathers, step-parents, or other individuals who wish to acquire parental responsibility.

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Other orders

Specific Issue Orders

These orders give directions for a specific question which has arisen, or which may arise, in connection with any aspect of parental responsibility for a child. For example, this could involve decisions about a child's education, medical treatment, or religious upbringing.

Prohibited Steps Orders

These orders prevent a parent from taking certain actions in relation to a child, such as moving the child to another country or changing the child's school without the consent of the other parent or the court.

Occupation Orders

These orders regulate the occupation of the family home, determining who can live in the property or excluding a person from the home. This is often used in cases involving domestic violence.

Non-Molestation Orders

These orders protect a person from harassment or threats of violence by prohibiting the abuser from certain actions, such as contacting or approaching the victim. They are often used in cases of domestic abuse.

Adoption Orders

These orders transfer parental rights and responsibilities for a child to the adopters, permanently removing the legal rights and responsibilities from the birth parents.

Special Guardianship Orders

These orders appoint one or more individuals to be a child's special guardian, providing a more permanent solution than foster care but not as final as adoption.

Care and Supervision Orders

These orders are typically made to safeguard the welfare of children:

- **Care Orders:** Place a child in the care of a local authority.
- **Supervision Orders:** Place a child under the supervision of a local authority while allowing the child to remain at home.

Emergency Protection Orders

These orders provide immediate short-term protection for a child believed to be in imminent danger, allowing for their removal from home or preventing their removal from a safe place.

Child Abduction Orders

These orders are used to prevent the removal of a child from the UK or to secure the return of a child who has been unlawfully removed from the country.

Forced Marriage Protection Orders

These orders protect individuals from being forced into marriage or from any attempts to force them into marriage, including taking measures to prevent the marriage from occurring.