

# Application under the Children Act 1989 for a residence, contact, prohibited steps, specific issue section 8 order or to vary or discharge a section 8 order

## To be completed by the court

Name of court

Date issued

Case number

Before completing this form please read the leaflet 'CB1 – Making an application – Children and the Family Courts'. You can get a copy of from your local court or at [www.justice.gov.uk](http://www.justice.gov.uk).

- Failure to complete every question or state if it does not apply, could delay the case, as the court will have to ask you to provide the additional information required.
- If there is not enough space please attach separate sheets, clearly showing the details of the children, parties, question and page number they refer to.
- Cafcass/CAFCASS CYMRU will carry out checks as it considers necessary. See Section J of leaflet CB1 for more information about Cafcass and CAFCASS CYMRU.

## 1. Summary of application

Some people need permission to apply - See Section C of the leaflet CB1 for details on who needs permission and how to get permission

Have you applied to the court for permission to make this application?  Yes  Permission not required

Your name (the applicant(s))

The respondent's name(s)

See Sections G and H of the booklet CB1.

Please list the name(s) of the child(ren) and the type(s) of order you are applying for, starting with the oldest. To understand which order to apply for read the booklet CB1 Section D.

Child 1 - Full name of child	Date of birth	Gender	Order(s) applied for
	DD / MM / YYYY	<input type="checkbox"/> Male <input type="checkbox"/> Female	
Relationship to applicant(s)		Relationship to respondent(s)	
Child 2 - Full name of child	Date of birth	Gender	Order(s) applied for
	DD / MM / YYYY	<input type="checkbox"/> Male <input type="checkbox"/> Female	
Relationship to applicant(s)		Relationship to respondent(s)	
Child 3 - Full name of child	Date of birth	Gender	Order(s) applied for
	DD / MM / YYYY	<input type="checkbox"/> Male <input type="checkbox"/> Female	
Relationship to applicant(s)		Relationship to respondent(s)	



### 3. The respondents

Sections G and H of the the booklet 'CB1 - Making an application - Children and the Family Courts' explain who a respondent is.

If there are more than 2 respondents please continue on a separate sheet.

	Respondent 1	Respondent 2
Full names	<input type="text"/>	<input type="text"/>
Previous names (if known)	<input type="text"/>	<input type="text"/>
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date of birth (If party under 18 read section R of leaflet CB1)	<input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Place of birth (town/county/country)	<input type="text"/>	<input type="text"/>
Address (to which documents relating to this application should be sent)	<input type="text"/>	<input type="text"/>
Postcode	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Home telephone number	<input type="text"/>	<input type="text"/>
Mobile telephone number	<input type="text"/>	<input type="text"/>
Email address	<input type="text"/>	<input type="text"/>
Have they lived at this address for more than 5 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know
	If No, please provide details of all previous addresses for the last 5 years below (if known, including the dates and starting with the most recent)	
	<input type="text"/>	<input type="text"/>

## 4. Others who should be given notice

There may be other people who should be notified of your application, for example, someone who cares for the child but is not a parent. Sections G and I of the the booklet '**CB1 - Making an application - Children and the Family Courts**' explain who others are.

	Person 1	Person 2
Full names	<input type="text"/>	<input type="text"/>
Previous names (if known)	<input type="text"/>	<input type="text"/>
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date of birth	<input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Address	<input type="text"/>	<input type="text"/>
	Postcode <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Postcode <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Please state their relationship to the children listed on page 1. If their relationship is not the same to each child please state their relationship to each child.	<input type="text"/>	<input type="text"/>

## 5. Solicitors details

Do you have a solicitor acting for you?

Yes

No

If No, see section R of leaflet CB1 for more information

If Yes, please give the following details

Your solicitor's name

Name of firm

Address

Postcode

Telephone number

Fax number

DX number

Solicitor's Reference

Email address

## 6. The child(ren)

Are any of the children known to the local authority children's services?

Yes  No  Don't know

If Yes please state which child and the name of the Local Authority and Social worker (if known)

Are any of the children the subject of a child protection plan

Yes  No  Don't know

Do all the children share the same parents?

Yes  No

If Yes, what are the names of the parents?

If No, please give details of each parent and their children involved in this application

Please state everyone who has parental responsibility for each child and how they have parental responsibility (e.g. 'child's mother', 'child's father and was married to the mother when the child was born' etc.)  
(See Section E of leaflet CB1 for more information)

Who do the children currently live with?

Applicant(s)  Respondent(s)  Other

If other, please give the full address of the child, the names of any adults living with the children and their relationship to or involvement with the child.

If you do not wish this information to be made known to the Respondent, leave the details blank and complete Confidential contact details Form C8

## 7. Why are you making this application?

Please give brief details:

- any previous agreements (formal or informal), and how they have broken down
- your reasons for bringing this application to the court
- what you want the court to do
- reasons given by the respondent(s) for their actions in relation to this application.

**Do not give a full statement, please provide a summary of any relevant grounds and reasons.** You may be asked to provide a full statement later.

## 8. Agreements about residence and/or contact

Have you received a copy of the 'Parenting Plan: Putting your children first: A guide for separating parents' booklet?

Yes       No

If No, you can get a copy free of charge from your local court or you can download a copy from the website [www.tso.co.uk](http://www.tso.co.uk)

Have you attended a mediation information/assessment meeting as suggested in the pre-action protocol and/or attached form FM1?

Yes       No

You can find your nearest family mediation service by visiting the government's website DirectGov ([www.direct.gov.uk](http://www.direct.gov.uk)) and search using the words 'family mediation'. You will find a database of accredited family mediation services on the website.

If you did not use mediation or attend a mediation information/assessment meeting please explain why:

## 9. Risk

Do you believe that the child(ren) named at Section 1 have experienced or are at risk of experiencing harm from any of the following by any person who has had contact with the child?

- |                                     |                              |                             |
|-------------------------------------|------------------------------|-----------------------------|
| any form of domestic abuse/violence | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| child abduction                     | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| child abuse                         | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| drugs, alcohol or substance abuse   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| other safety or welfare concerns    | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If you answered Yes to any of the above, please complete form C1A (Supplemental information form).

## 10. Other court cases which concern the child(ren) listed on page 1

Are you aware of any other court cases now, or at any time in the past, which concern any of the child(ren) at Section 1?

- Yes    If Yes, please attach a copy of any relevant order, and complete the details of the Cafcass/CAFCASS CYMRU officer and child's solicitor below. If you do not have a copy of the order please complete all the additional details below.
- No    If No, please **go to Section 11**

### Additional details

Name of child(ren)


Name of the court where proceedings heard

Case no.

Date/year (if known)

Name and office (if known) of Cafcass/CAFCASS CYMRU officer

Name and address of child's solicitor, if known



Postcode

**If the above details are different for each child please provide details on additional sheets.**

Please tick if additional sheets are attached.

## 11. Attending the court

Section N of the the booklet 'CB1 - Making an application - Children and the Family Courts' provides information about attending court.

**If you require an interpreter, you must tell the court now so that one can be arranged.**

Do you or any of the parties need an interpreter at court?

Yes  No

If Yes, please specify the language and dialect:

If attending the court, do you or any of the parties involved have a disability for which you require special assistance or special facilities?

Yes  No

If Yes, please say what the needs are

Please say whether the court needs to make any special arrangements for you to attend court (e.g. providing you with a separate waiting room from the respondent or other security provisions).

Court staff may get in touch with you about the requirements

## 12. Statement of truth

\*[I believe] [The applicant/respondent believes] that the facts stated in this application are true.

\*delete as appropriate

\*I am duly authorised by the applicant/respondent to sign this statement.

Print full name

Name of applicant solicitors firm

Signed

Dated

(Applicant) (Applicant's solicitor)

Position or office held  
(If signing on behalf of firm or company)

**Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.**

continued over the page 

# Information for completing form C100

A copy of this application will be provided to Cafcass upon issue of proceedings. The information contained in the form C100 enables Cafcass to conduct enquiries prior to the first court hearing, without it they cannot conduct their initial safeguarding checks and enquiries.

Whilst every question in this form should be completed or stated that information is not available the following **essential** information is required by Cafcass/CAFCASS CYMRU and failure to provide this information could lead to unnecessary delays to proceedings:

## Page 1

- Whether permission is required
- The full name(s) of the child(ren) in the proceedings
- Their date(s) of birth
- Their gender
- The applicants relationship to the child(ren)
- The respondents relationship to the child(ren)

## Page 2

- Your/the applicant's full name
- Any previous names
- Your/the applicant's gender and date of birth
- Your/the applicant's address, including the postcode  
**Note:** if you/the applicant does not wish the address to be made known it should be included in an accompanying form C8.
- Your/the applicant's telephone number and if applicable, mobile telephone  
**Note:** if you/the applicant does not wish the number to be made known it should be included in an accompanying form C8.

## Page 3

- The respondent's full name
- Previous surnames (if known)
- The respondent's gender and date of birth
- The respondent's address, including the postcode
- The respondent's telephone number and if applicable, mobile telephone

## Page 5

- Solicitor details (if applicable), including a telephone number

## Page 6

- The names of the child(ren)'s parents
- If the child(ren) is/are not living with either the Applicant or Respondent you must give:
  - the child(ren)'s current address
  - the full names of the adults living with them and their relationship or involvement with the child(ren)

## Page 7

- The nature of the application for each child

## Page 8

- Have the child(ren) suffered or are at risk of suffering harm

## Page 9

- Check you have completed and signed section 12

## What to do now

- Check you have attached copies of any **relevant orders** (as per Section 10).
- You must provide a **copy** of the application and attached documents for each of the respondents and one for the Children and Family Court Advisory and Support Service (Cafcass or CAFCASS CYMRU).
- Is form C1A attached (if applicable)?
- Is form FM1 attached?
- Are any additional sheets attached?
- If you have included additional sheets you must add the names of the parties and children at the top of the page and details of the questions and page number the additional sheets relate to.
- Check you have attached the correct fee. The leaflet 'EX50 County court fees' provides information about court fees you will have to pay.

**Now take or send your application with the correct fee and correct number of copies to the court.**

### Court fees

You may be exempt from paying all or part of the fee. The combined booklet and application form 'EX160A Court Fees - Do you have to pay them' gives more information. You can get a copy from the court or download a copy from our website at [www.justice.gov.uk](http://www.justice.gov.uk)