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CHILD ARRANGEMENT ORDERS

GUIDANCE



What is a Child Arrangements Order?

- A child arrangement order decides who a child will live with and who they should spend time with
- The order will set out how this time will be divided between the parties
- It can make orders on both direct and indirect contact

Who can apply for a child arrangement order?

- The child must be under 16 years of age in order for an order to be applied for
- Any parent of the child can apply (even if they do not have parental responsibility), any guardian or special guardian of the child, or someone in which the child currently lives with

How to apply for a child arrangement order?

- Fill out Form C100 and send it to court along with the court fee
- Attach a short supporting statement to the application to explain what you are seeking and why
- In the majority of cases a mediation session known as a MIAM must be attended before applying to the courts, there are some exemptions to this rule.

How much does a child arrangement cost?

- The cost of a C100 application costs £232. As a C100 can be used to apply for a child arrangements order, prohibited steps order and specific issue order which means if they are applied for at the same time then the cost will be £232. If they are applied for separately £232 needs to be paid every time a new application is issued.

How does the court decide whether to grant an order?

- The courts will look at the welfare checklist;
 1. The ascertainable feelings and wishes of the child
 2. Educational, emotional, and physical needs of the child
 3. Sex, background, age, or any other feature of the child that may be relevant
 4. The range of power available to the courts
 5. Any harm suffered by the child or potential risk of suffering
 6. The capability of each of the parents
 7. The possible impact on the child in case of any change in their circumstances

- The older the child is the more likely the court is to grant what the child wants as they are able to voice their opinion and have an understanding of the case.

How long will the order last?

- The order will last until the child reaches 16 or either party applies to vary or discharge the order.
- Often it is necessary for child arrangement orders to be varied as the child grows up in order to continue to meet their needs.

