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FAMILY LAW - CHILDREN MATTERS

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We offer a FREE initial consultation giving you the opportunity to
speak with one of our legal experts and find out where you stand.

CALL US ON 0800 999 4437



One of the most emotive areas of family law, flowing from the separation and divorce process, concerns children. If you are a parent contemplating divorce or separation, you will understandably be concerned about the impact on your child or children.

We consider that when providing legal advice on family matters, giving you a clear understanding of your rights and responsibilities is paramount. Our team understand what you are experiencing and take time and care in dealing with the issues you may face. We will discuss your particular circumstances thoroughly with you, ensuring you are fully aware of the options available and affording you the opportunity to make the decision that is right for you.

It is often possible to work matters out consensually and we strongly advise you to do so if you can possibly manage it. It is nearly always best for your child or children, best for you and best for the rest of your family.

We are aware of the importance of putting children first and that the decisions you make now, will continue to have an effect on them as they grow up.



Do I need legal assistance?

Disputes involving children can be fraught with emotion and tension and in the first instance, the courts encourage parents to mediate and settle their issues away from the court arena as far as possible.

However, if this is not possible, seeking advice from a Family Law expert will assist in ensuring you have the guidance and support you need to navigate child arrangement issues. At Parfitt Cresswell we adopt a conciliatory and non-confrontational approach to family matters.

What can I ask the court for?

The most common application is a Child Arrangements Order whereby a party applies to the court to “spend time with” or “live with” any relevant child or children. Other applications include an application for a Specific Issue Order to determine a particular issue such as schooling or consent to medical treatment. It is also possible to apply for a Prohibited Steps Order, with a view to preventing an event from taking place, such as removing a child or children from the jurisdiction. Unless a case is urgent or there is evidence of domestic

abuse, you will first need to attend a Mediation Information and Assessment Meeting (MIAM) before you can make an application to the court. The purpose of the MIAM is to determine whether a case can be dealt with by mediation.

Can anyone make an application to the court for a child order?

Any parent, guardian, special guardian, step-parent or party with parental responsibility can make an application. It is also possible for those named as the party with whom a relevant child is to live with in an existing Child Arrangements Order; any person in a marriage or civil partnership who has treated a relevant child as a child of the family; any person who a relevant child has lived with for 3 years (subject to certain conditions), any person who has the consent of a Local Authority with care of the child and any person who has the consent of each party with parental responsibility can make an application. If a person without parental responsibility (for example, a grandparent) wishes to make an application in respect of a child, they first need to ask the court for permission.

How long will it take?

This depends on a number of factors such as the complexity of a case, how engaged each party is in the process and/or whether the case involves third parties such as social services, expert witnesses such as psychologists or the involvement of the police. Attending Court can be a daunting and unnerving experience, and this is why it is beneficial to obtain expert legal advice to support you throughout.

How we can help

Our trusted, Family Law experts are here to guide and support you, ensuring you achieve the best outcome for you and your family – with as little heartache, cost and drama as possible so you can move on with your life.

If you would like to speak to one of our legal experts we offer a complimentary, no-obligation, initial consultation. Call **0800 999 4437**, email **enquiries@parfittcresswell.com** or scan the QR code below and a member of our team will be happy to assist.



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