

# Children matter

Doing the right thing for  
your child's future



Chafes  
Hague  
Lambert  
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# Why do children matter?

**It can often be emotional and stressful when a relationship breaks down and even more so if children are in the middle.**

You might be struggling to agree who the child(ren) will live with and where they should live when your relationship breaks down, or how much time the child(ren) spend with the non-resident parent. Alternatively, you might be unable to agree where a child is educated, by what surname they should be known, or your ex-partner/spouse might not be including you in decisions relating to the welfare of your child.

Legal advice can be sought if there are issues surrounding the child care arrangements between you and your ex-partner/spouse.

The Family department at Chafes Hague Lambert can advise you on your options.

## What else do I need to think about?

**It would be beneficial to both parents and their children if an amicable agreement can be reached either between yourselves or in mediation.**

You will need to think about the practical arrangements for the children in the school holidays, at the weekends, Christmas arrangements, introduction of new partners etc. We can advise you on practical arrangements. Court proceedings concerning children should be seen as a last resort, but sometimes, are unavoidable. You should seek advice as to your options at the first opportunity.



# How can we help you?

## **We can advise and assist you in relation to the following:-**

- Writing to your ex-partner/spouse to try and reach an amicable agreement
- Recommend mediation services
- Draft Court documentation and represent you at Court.
  
- We can advise you on childcare arrangements including:-
  - a) Practical arrangements relating to contact.
  - b) Parental responsibility – We can advise you if you have parental responsibility for your child and your rights in respect of making decisions relating to the child’s education, medical care, religion and surname.
  - c) Child Arrangement Order -This Order regulates with whom a child will live and how often and how much time is spent with the other parent.
  - d) Prohibited Steps Order -This Order can provide a restriction on a parent from doing something, for example, removing the child from the other parent or school.
  - e) Specific Issue Order -This Order deals with the request for a specific issue concerning the child to be determined by the Court, for example, which school the child should attend.

## Frequently asked questions

**Q. What factors do the Court consider when they make an Order?**

The Court's paramount consideration is the child's welfare and they will make a decision using various factors such as the child's wishes and feelings, their physical, emotional and educational needs, whether there is a risk of harm or what would be the effect on the child if there was any change in their current circumstances.

**Q. How much would applying for a Court Order cost?**

There will be a set fee payable to the Court itself for issuing your application. If you wish to instruct a solicitor to assist you with negotiations/to represent you at Court, then the cost will depend on how your matter progresses.

**Q. What if we cannot reach an agreement on the child care arrangements?**

If parents cannot reach an agreement in relation to the child care arrangements or other aspect of the child's life either between themselves, through lawyers or at mediation, then the last resort would be to make an application to the Court.

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