



Taylor *Bracewell*

Your legal team | Your success

Family Law

Financial Case Plan v1

Call the Family Team on 01302 640 409

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Financial Case Plan

I set out below a case plan for your case. You will see that I describe the most important events in the case with an estimated date of the final hearing, assuming that an agreement cannot be reached.

I will let you know if this case plan is changed in any significant way, or if there is to be a significant delay.

There can often be delays in the progress of a case because of delays at Court, or because of delays by a spouse in providing information and documents or taking a step in the Court proceedings.

You are making a claim for financial settlement on divorce, this is known as ancillary relief. If an agreement cannot be reached quickly, we will have to start Court proceedings which will involve us filing a formal application with the Court. We will be given a date for a First Appointment, this will be some 10 to 14 weeks after your application has been accepted by the Court.

5 weeks before the First Appointment each party must complete and exchange a detailed form called a Form E. This form provides details of each person's financial situation. You will need to swear that the contents of your Form E are true.

If we do not receive your spouse's Form E, we may have to obtain an Order from the Court that the Form E is provided because it is essential that we have these details in order to decide on what a suitable settlement would be.

A week prior to the First Appointment, we will have to consider what information and documents we require from your spouse to clarify any points made in their Form E and to ensure that we have full disclosure of all income and assets. Your spouse can ask similar questions of you. At the First Appointment the District Judge considers whether our requests are reasonable.

We also have to supply the District Judge with information about the current cost of this application.

The First Appointment is a directions appointment where the Court considers what further evidence should be sought or what further steps should be taken. We will be told by the Judge when he wants this further information to be provided by. If we are able to reach agreement the Court might be happy for us to settle matters then and there.



Once all the necessary information has been gathered the Court lists your case for a second appointment, called a Financial Dispute Resolution hearing (FDR). This is usually about 3 months after the First Appointment, although it will depend on the Judge's directions.

At the FDR hearing, a District Judge tries to help both parties settle the dispute by agreement. You will not be forced to agree to anything but efforts must be made by everyone to try to find a compromise that both parties are happy with.

If it is still impossible to reach an agreement, even after the FDR, the court will list the case for a trial. At the trial, the Judge will decide what order should be made and whether or not one party should be ordered to pay the costs of the other. The trial will usually be about 3 months after the FDR.

It might be necessary to instruct a Barrister to represent you at one or more of the hearings or to advise you in your case. It will be possible to have a conference with your Barrister if necessary.

Your matter can be settled at any stage of the proceedings.

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