The Family Court Process—Financial Matters

Before a Court application can be made, both sides attend MIAM; Mediation Information & Assessment Meeting

Mediator signs FM1 section of Court form e.g. form A

One side files an Application for Financial Remedy to the Court Court arranges First
Directions
Appointment
Hearing - FDA
(takes 3-4 months
after initial
application)

If at any time both sides can reach an agreement, an Order will be made & the Court Process will end

The First Directions Appointment Hearing

The FDA gives the opportunity for full disclosure to take place. If agreed, the FDA can then become a FDR—Financial Dispute Resolution Hearing If a settlement isn't agreed, a date for an FDR is set (2-4 months after FDA)

At the FDR both sides are encouraged to reach an agreement. Both sides make submissions to the District Judge who will give an indication as to how they consider the income, liabilities and assets should be divided between them.

If an agreement is not reached the matter will be listed for a Final Hearing with any further directions needed for the Court to decide the matter.

(2-4 months after the FDR)

Prior to the FDA, the Court will expect the following to have taken place:-

- Exchange of Financial Form E's
- Exchange of Statement of issues
- Chronology
- Statement of costs incurred to date
- Questionnaire re the other parties Form E

The Final Hearing

Both parties give oral evidence as to their financial circumstances and the District Judge will make a FINAL ORDER on the basis of the evidence given. A hearing usually lasts for one judicial day.

It is worth remembering that the
Court WANT people to be
responsible for making their OWN
decisions and will encourage BOTH
sides to reach an agreement!