

Child Dispute Information Sheet

What is a Parental Responsibility Order?

The strict legal definition of Parental Responsibility is “all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property”. These decisions include for example decisions about education, religion and medical treatment. If you are the natural mother or father who was or is married to the mother, then you will probably have it already. If you are an unmarried father named on the birth certificate then it depends when your child was born. Ask us about this or how you can try to obtain it. PR allows you to make decisions on your own without necessarily consulting other people who also have PR.

What is a Specific Issue Order?

Where you and another person (usually another parent) cannot decide on what is best for your child then the court can be asked to make an order about a “specific issue”. An obvious example is if you cannot agree on a child’s surname or religion.

What is a “Contact Order”?

It allows you to have contact with the child. This contact can be defined (e.g. between certain hours on certain days) or just left to you to sort out with your ex-partner (perhaps expressed as “reasonable contact”). It can also enable you to have contact overnight (known as “staying contact”).

What is a “Residence Order”?

An order that states who the child should normally live with.

Who can apply for an order?

There are restrictions on who can apply for an order but in particular if you are a parent, guardian, or step-parent of the child or the child has lived with you for more than 3 years then you will not require permission of the court to issue an application. Most other people require permission first.

What mediation services are available?

The courts do not like to make orders in children cases if the parties are able to sort matters out themselves and this is seen as best for the children. Unless there is a good reason for it the court will want you both to be involved in the child’s life. Attempting mediation is generally required before you can apply for legal aid (unless it is an emergency). If you issue proceedings the court will probably expect you to use their mediation services before it is prepared to hear the case. We can advise you on appropriate mediation agencies and also assist in negotiations about contact and other matters. **Remember your case does not need to end up in court and we are here to assist in trying to resolve it amicably if this is likely to be in everyone’s interest.**

How much is all this going to cost?

As we have a legal aid franchise in family matters, we can apply for this if your case merits it and you are on a low income. Otherwise we will give you an overall estimate about legal costs. We consider that our rates are competitive within the Aylesbury area and if need be can be flexible about payment terms. You can rest

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assured that all cases will be dealt with by or under the supervision of an [Advanced Member of the Law Society Family Panel](#).

For information on how Wilkins Solicitors can help you resolve child disputes contact us as detailed below.

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