

Top Tips for Resolving Child Matters when Parents Separate

By Lucy Greenwood

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In England proceedings for divorce/dissolution; financial matters and child matters are entirely separate and not everyone who separates or divorces has to apply to court to formalise arrangements for their children. In fact, in England the courts adopt a presumption of 'no order' when it comes to children matters, preferring families to make their own arrangements where possible.

However sometimes there is no alternative but to seek adjudication about child arrangements.

CAFCASS (Children and Family Court Advisory and Support Service) has very recently published lists of *'top tips'* to help separated families resolve child arrangements more effectively. Their list provides help for participants of private proceedings, usually parents or public proceedings where they were instigated by Local Authorities i.e., the State.

The lists have been prepared by:

- The CAFCASS Family Forum, a group of parents, carers and extended family members who have had direct experience of family court proceedings, and
- The Family Justice Young People's Board which comprises children and young people who have been involved in the family court. Their top tips provide a child's perspective about child arrangements for separated couples

Both provide valuable insights into the concerns often expressed by separated parents to their family lawyers.

Fundamentally, the tips illustrate the importance of effective communication with all family members, upon separation.

A court order is often a blunt instrument. It won't produce the best outcome without at least some co-operation and communication with the whole family. Further proceedings also often follow as children's needs develop. For some families, proceedings can become commonplace until the children reach the age of 16 or sometimes older.

There are also alternative routes to court, for resolving child arrangements. These include, family therapy, parenting classes, mediation, or round table meetings with family lawyers (alone or with other experts on hand to advise).

These routes require cooperation, but often produce faster, more sustainable, and effective solutions for separated families. They are also considerably less expensive than contested private court proceedings.

Where possible, a family lawyer who undertakes children work will be able to advise and help arrange these alternative methods of child arrangements.

If you have any questions about child arrangements or any other legal elements of your separation, please contact Lucy below.

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Click on links below for more helpful information tips...

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- [1] [Adult's Top Tips - Private Children Matters](/ImageLibrary/top-tips-for-parents-on-the-impact-of-parental-separation-and-court-proceedings-on-children-2%20(lg).pdf)
- [2] [Adult's Top Tips - Involving Local Authority Proceedings](/ImageLibrary/top-tips-for-parents-working-with-the-childrens-guardian-in-public-law-proceedings.pdf)
- [3] [Children's Top Tips](/ImageLibrary/top-tips-for-parents-who-are-separated%20(lg).pdf)

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