

Making an application to the court for a financial settlement.

What do I do next?

Step One

Once you have attended a MIAM appointment, or if your mediation has finished without resolving all of the issues, your mediator will send to you one page (page 12) of the Form A form, containing information that will enable you to complete your application.

Step Two

Applying by post

- Fill in your Form A. When you are applying using a paper form, you will need to substitute the page we have signed with the blank page 12 from your form. You will need to provide two copies of it (and keep one for yourself) to the court dealing with paperwork in your area to divorce or end your civil partnership. You can check where that is at www.gov.uk/government/publications/hmcts-financial-remedy-centres.
- **Court fee** - You will need to pay the court fee of **£275.00** before the court can process your application. You can pay by card – the court will call you when it receives your form so that you can pay over the phone. You may be able to get help paying if you are on a low income, receive certain benefits or have little or no savings.
- If you need to apply for help with paying the court fee, you must do that at the same time, and send in a completed EX160 form with your Form A. You can download that form from www.gov.uk/government/publications/apply-for-help-with-court-and-tribunal-fees.

Step Three

The court will issue the claim and send the other person a copy of the application. You will both receive details for your first hearing, called a First Appointment. This might be online, by telephone or in court, so make sure you check. At that hearing the Judge will check whether you are ready, and give directions about what you need to do to prepare for the next stage. For example, you may need to get valuations or expert evidence. Your case will then be listed for a second hearing, called a Financial Dispute Resolution hearing (FDR).

Step Four

At the FDR hearing the court will check that you are ready to proceed. You will be given an indication of how your case may be dealt with, and what the outcome could be. This is to see if you can sort it out together. If you can, the case will come to an end and you will have an order setting out your settlement. If, at this hearing, you cannot agree, the court will ask you to prepare some further documents about your case. You will be given deadlines for providing this and you will be asked to come back for the final hearing.

Step Five

At the final hearing you will each tell the Judge what you would like and why, and you may be asked questions about your financial documents and the figures. Once the Judge has finished listening, they will make the final decision for you. Sometimes you will have a copy of the Order to take away with you, but usually it is sent out by email or post.

Additional help and information is available here -

www.gov.uk

www.familymediationcouncil.org.uk

www.resolution.org.uk

www.supportthroughcourt.org

www.advicenow.org.uk/family-court

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