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### LexisPSL Family

Our team of highly qualified family lawyers have put together an unbeatable set of materials to guide you through family law and practice.

### Built by Lawyers for Lawyers.

Leading Professional Support Lawyers for Family:



#### Claire Sanders, *Solicitor*, **Family**

Claire has almost twenty years of experience as a family solicitor. She specialises in all aspects of private family work, including resolving issues relating to property, money, and children arising on relationship breakdown between married and unmarried couples.



#### Geraldine Morris, *Solicitor*, **Family**

Geraldine is a family law specialist with particular expertise in cohabitants, civil partnership, financial provision, human rights and international family law. Geraldine is the editor for Butterworths Family Law Service, Butterworths Family and Child Law Bulletin, Family Law Journal and the Resolution journal, The Review.

## What does LexisPSL Family Include?

- 250+ practice notes
- 500+ precedents
- 50 legal topic overviews

## What sources are quoted or referenced?

- All England Official Transcripts (Family)
- All England Reporter (Family)
- Atkin's Court Forms Divorce (Volumes 16 (1), (2) )
- Butterworths Family Law Service
- Clarke Hall and Morrison on Children
- European Court of Human Rights Cases
- Family Court Reports
- Family Finance in Practice
- Family Law Newsletter
- Halsbury's Laws of England
- New Law Journal
- Rayden and Jackson on Divorce and Family Matters
- Selected All England Law Reports (Family)
- UK Parliament Acts (Family)
- UK Statutory Instruments (Family)
- White, Carr and Lowe: The Children Act in Practice

## Current Topics included in LexisPSL Family

### Cohabitants

Definition of cohabitation  
Cohabitation contracts  
Property rights  
Children  
Rights on death

### Costs

General principles  
Financial proceedings  
Children proceedings  
Assessment

### Children

Fundamental principles  
Parental responsibility  
Residence  
Contact  
Specific issue orders  
Prohibited steps orders  
Procedure  
Evidence  
Care and supervision orders  
Adoption  
Education  
Financial provision

### Enforcement

General principles  
Limitations  
Aids to enforcement  
Methods of enforcement  
International enforcement

### Financial provision

Agreements for financial provision  
Applications for financial provision  
Special considerations  
Practice and procedure  
Spousal periodical payments  
Periodical payments for children  
Lump sum orders  
Property adjustment orders  
Pensions and insurance  
Consent orders  
Bankruptcy and insolvency

### Pre-action

First interview  
Jurisdiction EU  
Emergency procedures  
ADR

### Relationship breakdown

Marriage and civil partnership  
Nullity  
Divorce  
Judicial separation  
Terminating civil partnerships

### Special cases practice and procedure

Transferring proceedings  
McKenzie friends  
Disclosure  
Appeals

### Tax

General principles  
Tax implications of financial orders  
Effect of marriage or civil partnership  
Effect of relationship breakdown



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## Family precedents

### Pre-action

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#### First interview

Schedule of outgoings  
Client instruction sheet  
Divorce procedure—explanatory leaflet  
Client care/retainer letter  
Notice of Severance of a jointly held property

#### Jurisdiction EU

Originating summons for financial relief after overseas divorce, annulment, legal separation or dissolution of a civil partnership order BFLS 4E [21751]  
Affidavit in support of originating summons for financial relief after overseas divorce, annulment or legal separation BFLS 4E [21752]  
Notice of proceedings and acknowledgement of service of originating summons in proceedings for financial relief after overseas divorce, annulment, legal separation or dissolution of a civil partnership order BFLS 4E [21753]  
Affidavit in support of originating summons for leave to apply for financial relief after overseas divorce, annulment or legal separation or dissolution of a civil partnership order BFLS 4E [21754]  
Originating summons for order to prevent a transaction intended to defeat prospective application for financial relief after overseas divorce, annulment or legal separation BFLS 4E [21755]  
Affidavit in support of originating summons for order to prevent a transaction intended to defeat prospective application for financial relief after overseas divorce, annulment or legal separation BFLS 4E [21756]

### Emergency procedures

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#### Preservation of assets

Application to restrain disposal of assets  
Affidavit in support of application to restrain disposal of assets  
Injunction to restrain disposal of assets  
Order on undertaking being given not to dispose of assets  
Application for an avoidance of disposition order  
Affidavit in support of an application for an application of disposition order  
Injunction prohibiting disposal of assets worldwide  
Order to allow entry and search of premises

### Relationship breakdown

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#### Marriage and civil partnership

Notice of application to a divorce county court  
Notice of application to the Principal Registry in a cause treated as pending in a divorce county court  
Summons to a High Court district judge  
Summons to a High Court judge  
High Court order: general form: Principal Registry  
High Court order: general form: District Registry

Petition for declaration as to marital status: FLA 1986, s 55  
Petition for declaration of marital status: one party being dead  
Petition for declaration as to the validity of a foreign divorce  
Affidavit in support of petition for declaration as to marital status  
Petition for declaration of parentage (combined with an application for a declaration as to the validity of the petitioner's parents' marriage) under FLA 1986, ss 55, 56

#### Nullity

Establishing jurisdiction under Council Regulation (EC) 1347/2000, Art 2  
Originating application for leave to present a nullity petition more than three years after marriage  
Affidavit in support of application for leave to file a nullity petition more than three years after marriage  
Nullity petition: general form  
Grounds for nullity petition: void marriage  
Grounds for nullity petition: voidable marriage  
Answer to petition for nullity: incapacity: cross-prayer on ground of incapacity  
Alternative defences in nullity: voidable marriages  
Application on affidavit for leave to omit address from petition  
Order giving leave to omit address from petition  
Summons to strike out answer or prayer of answer  
Application for appointment of medical inspector in nullity proceedings  
Order appointing medical inspectors  
Notice of arrangements for medical inspection  
Statement as to identity of party to be medically exam  
Affidavit of personal service  
Affidavit of service by post, document exchange, delivery or fax  
Affidavit of service on mental patient  
Application for leave to dispense with service or further service or for an order for substituted service  
Affidavit in support of application for leave to dispense with further service  
Affidavit supporting application to dispense with service of petition on respondent  
Affidavit application for an order for substituted service  
Order for substituted service by advertisement  
Draft advertisement

#### Divorce

Establishing jurisdiction under Council Regulation (EC) 1347/2000, Art 3  
Application on affidavit for leave to omit address from petition  
Order giving leave to omit address from petition  
Petition for divorce or judicial separation: general form  
Specimen particulars relating to children for inclusion in divorce or judicial separation petition  
Specimen particulars of previous proceedings for inclusion in a divorce or judicial separation petition



Specimen particulars of adultery  
Specimen particulars of intolerable behaviour  
Specimen particulars of desertion  
Specimen particulars of two years' separation and consent  
Specimen particulars of five years' separation  
Supplemental petition alleging further instances of behaviour after the filing of the petition and the birth of another child of the family  
Supplemental petition alleging adultery  
Application for leave to file a supplemental petition  
Affidavit supporting application for leave to file supplemental petition  
Affidavit in support of application to file a further petition  
Order giving leave to file a further petition  
Particulars of previous divorce proceedings to be included in a further petition  
Affidavit in support of application to lift a stay imposed on the giving of leave to file a further petition  
Answer to divorce petition: admission of breakdown: cross- prayer  
Answer by husband to petition for divorce or judicial separation  
Answer by husband to petition for divorce or judicial separation: denial of jurisdiction or breakdown  
Answer by wife to petition for divorce or judicial separation: denial of a breakdown  
Answer by wife to petition for divorce: five years' separation: grave hardship  
Co-Respondent's answer to petition: denial of adultery  
Co-Respondent's answer to petition: admission of adultery: defence as to costs  
Reply to answer: wife's reply to husband's answer which contained cross-prayer for dissolution on allegation of behaviour  
Application for leave to amend petition  
Affidavit in support of application for leave to amend petition  
Request for further and better particulars of the petition  
Further and better particulars of the petition  
Application to dismiss petition  
Affidavit in support of application to dismiss petition  
Summons to stay prayer of petition and proceed on prayer of answer  
Order for leave to proceed on petition or answer  
Order for consolidation  
Notice of discontinuance  
Notice of abatement  
Application for leave to file a schedule of unreasonable behaviour  
Scott schedule of allegations of unreasonable behaviour  
Application for leave to file answer out of time  
Affidavit in support of application for leave to file answer out of time  
Order giving leave to file answer out of time  
Notice of withdrawal of consent to a decree of dissolution:  
MCA 1973, s 1(2)(d)  
Application for a stay under DMPA 1973, Sch 1, para 8  
Affidavit in support of application for a stay under DMPA 1973, Sch 1, para 8  
Application for a stay under DMPA 1973, Sch 1, para 9  
Affidavit in support of application for a stay under DMPA 1973, Sch 1, para 9  
Summons for leave to file a rejoinder  
Rejoinder  
Notice or summons for trial of an issue  
Order for directions for trial of an issue  
Specimen form of issue  
Order on issue as to jurisdiction  
Order for trial of issue as to whether child is child of the family on application for ancillary relief  
Issue as to whether child is child of the family  
Summons to strike out answer or prayer of answer  
Notice of desired place of trial of defended cause  
Statement acknowledging receipt of notice of desired place of trial  
Summons for directions for venue

Request for directions for trial: defended cause  
Request for directions for trial: undefended cause not proceeding in special procedure list  
Notice of setting down in High Court list  
Notice of setting down in county court list to be heard at the Royal Courts of Justice  
Application to set aside district judge's certificate in special procedure case  
Application to set aside decree nisi and for rehearing  
Affidavit in support of application to set aside decree nisi  
Application to rescind decree nisi on reconciliation  
Affidavit in support of application to rescind decree nisi on reconciliation  
Application to abridge time for decree absolute  
Affidavit in support of application to abridge time for making decree absolute  
Application to judge or district judge to make decree absolute more than 12 months after pronouncement of decree nisi  
Affidavit in support of application to make decree absolute more than 12 months after pronouncement of decree nisi  
Application to make decree absolute: by party against whom decree nisi pronounced  
Affidavit in support of application to make decree absolute by party against whom obtained  
Order for exchange of witness statements  
Application for order for examination of witness out of court  
Order for examination of witness out of court: High Court  
Application for evidence to be given on affidavit  
Affidavit in support of application for leave to give evidence on affidavit  
Order for evidence to be given on affidavit  
Notice of application for appointment of a special examiner  
Affidavit in support of application for appointment of an examiner  
Order on application to appoint special examiner  
Summons for appointment of special examiner to take evidence out of the jurisdiction with variation for issue of letter of request  
Affidavit supporting application for appointment of special examiner or issue of letter of request  
Order for appointment of special examiner  
Solicitor's undertaking as to expenses in respect of letter of request  
Consent of next friend or guardian ad litem to act  
Certificate of fitness of next friend or guardian ad litem  
Order assigning guardian ad litem to act for respondent  
Notice endorsed in document to be served on person under disability  
Affidavit acknowledging service of petition on mental patient  
Affidavit of personal service  
Affidavit of service by post, document exchange, delivery or fax  
Affidavit of service on mental patient  
Application for leave to dispense with service or further service or for an order for substituted service  
Affidavit in support of application for leave to dispense with further service  
Affidavit supporting application to dispense with service of petition on respondent  
Affidavit application for an order for substituted service  
Order for substituted service by advertisement  
Draft advertisement

#### **Judicial separation**

Establishing jurisdiction under Council Regulation (EC) 1347/2000, Art 4  
Application on affidavit for leave to omit address from petition  
Order giving leave to omit address from petition  
Petition for divorce or judicial separation: general form  
Specimen particulars relating to children for inclusion in divorce or judicial separation petition  
Specimen particulars of previous proceedings for inclusion in a divorce or judicial separation petition  
Specimen particulars of adultery

Specimen particulars of intolerable behaviour  
Specimen particulars of desertion  
Specimen particulars of two years' separation and consent  
Specimen particulars of five years' separation  
Supplemental petition alleging further instances of behaviour after the filing of the petition and the birth of another child of the family  
Supplemental petition alleging adultery  
Application for leave to file a supplemental petition  
Affidavit supporting application for leave to file supplemental petition  
Affidavit in support of application to file a further petition  
Order giving leave to file a further petition  
Particulars of previous divorce proceedings to be included in a further petition  
Affidavit in support of application to lift a stay imposed on the giving of leave to file a further petition  
Answer to divorce petition: admission of breakdown: cross-prayer  
Answer by husband to petition for divorce or judicial separation  
Answer by husband to petition for divorce or judicial separation: denial of jurisdiction or breakdown  
Answer by wife to petition for divorce or judicial separation: denial of a breakdown  
Answer by wife to petition for divorce: five years' separation: grave hardship  
Co-Respondent's answer to petition: denial of adultery  
Co-Respondent's answer to petition: admission of adultery: defence as to costs  
Reply to answer: wife's reply to husband's answer which contained cross-prayer for dissolution on allegation of behaviour  
Application for leave to amend petition  
Affidavit in support of application for leave to amend petition  
Request for further and better particulars of the petition  
Further and better particulars of the petition  
Application to dismiss petition  
Affidavit in support of application to dismiss petition  
Summons to stay prayer of petition and proceed on prayer of answer  
Order for leave to proceed on petition or answer  
Order for consolidation  
Notice of discontinuance  
Notice of abatement  
Application for leave to file a schedule of unreasonable behaviour  
Scott schedule of allegations of unreasonable behaviour  
Application for leave to file answer out of time  
Affidavit in support of application for leave to file answer out of time  
Order giving leave to file answer out of time  
Notice of withdrawal of consent to a decree of dissolution: MCA 1973, s 1(2)(d)  
Application for a stay under DMPA 1973, Sch 1, para 8  
Affidavit in support of application for a stay under DMPA 1973, Sch 1, para 8  
Application for a stay under DMPA 1973, Sch 1, para 9  
Affidavit in support of application for a stay under DMPA 1973, Sch 1, para 9  
Summons for leave to file a rejoinder  
Rejoinder  
Notice or summons for trial of an issue  
Order for directions for trial of an issue  
Specimen form of issue  
Order on issue as to jurisdiction  
Order for trial of issue as to whether child is child of the family on application for ancillary relief  
Issue as to whether child is child of the family  
Summons to strike out answer or prayer of answer  
Notice of desired place of trial of defended cause  
Statement acknowledging receipt of notice of desired place of trial

Summons for directions for venue  
Request for directions for trial: defended cause  
Request for directions for trial: undefended cause not proceeding in special procedure list  
Notice of setting down in High Court list  
Notice of setting down in county court list to be heard at the Royal Courts of Justice  
Application to set aside district judge's certificate in special procedure case  
Order for exchange of witness statements  
Application for order for examination of witness out of court  
Order for examination of witness out of court: High Court  
Application for evidence to be given on affidavit  
Affidavit in support of application for leave to give evidence on affidavit  
Order for evidence to be given on affidavit  
Notice of application for appointment of a special examiner  
Affidavit in support of application for appointment of an examiner  
Order on application to appoint special examiner  
Summons for appointment of special examiner to take evidence out of the jurisdiction with variation for issue of letter of request  
Affidavit supporting application for appointment of special examiner or issue of letter of request  
Order for appointment of special examiner  
Solicitor's undertaking as to expenses in respect of letter of request  
Consent of next friend or guardian ad litem to act  
Certificate of fitness of next friend or guardian ad litem  
Order assigning guardian ad litem to act for respondent  
Notice endorsed in document to be served on person under disability  
Affidavit acknowledging service of petition on mental patient  
Affidavit of personal service  
Affidavit of service by post, document exchange, delivery or fax  
Affidavit of service on mental patient  
Application for leave to dispense with service or further service or for an order for substituted service  
Affidavit in support of application for leave to dispense with further service  
Affidavit supporting application to dispense with service of petition on respondent  
Affidavit application for an order for substituted service  
Order for substituted service by advertisement  
Draft advertisement

#### **Terminating civil partnerships**

Establishing jurisdiction under Council Regulation (EC) 1347/2000, Art 5  
Application on affidavit for leave to omit address from petition  
Order giving leave to omit address from petition  
Dissolution petition—civil partnership  
Specimen particulars relating to children for inclusion in divorce or judicial separation petition  
Specimen particulars of previous proceedings for inclusion in a divorce or judicial separation petition  
Specimen particulars of intolerable behaviour  
Specimen particulars of desertion  
Specimen particulars of two years' separation and consent  
Specimen particulars of five years' separation  
Supplemental petition alleging further instances of behaviour after the filing of the petition and the birth of another child of the family  
Application for leave to file a supplemental petition  
Affidavit supporting application for leave to file supplemental petition  
Affidavit in support of application to file a further petition  
Order giving leave to file a further petition