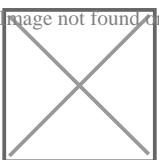


Osprey Approach: Public Children

This help guide was last updated on
Sep 22nd, 2021

The latest version is always online at
<https://support.pracctice.com/?p=16065>

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This Workflow is for Public Children cases, we also have a [Private Children Workflow](#).

A Workflow to assist with opening a public children matter file and instructing counsel.

Task 1 New File

Allocate a Custom Questionnaire

Enter details regarding the New File (up to 7 Other Party's, up to 6 Children, up to 6 Solicitors and other information). This information is used to pre-populate letters and fields:

<input type="text"/>	<input type="text"/>	<input type="text"/>	
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<input type="text"/>	<input type="text"/>	<input type="text"/>	

Send Standard Document

Client Care Letter

All documents are attached at the end of the guide.

Send Standard Document

Notice of Acting

All documents are attached at the end of the guide.

Add an automatic keydate to matter

3 Days Reminder to Chase for Return of Instruction Paperwork

Task 2 Brief to Counsel

Allocate a Custom Questionnaire

Enter details regarding the Counsel. This information is used to pre-populate letters and fields:

Counsel 1

(None selected)

Counsel 1 Contact

None selected

Send Standard Document

Brief to Counsel

All documents are attached at the end of the guide.

Send Standard Document

Letter to Counsel enclosing brief and bundle

All documents are attached at the end of the guide.

Reports

A report to check if files which have been open longer than 28 weeks have been billed with the Legal Aid Agency (this is because care matters should be concluded within 26 weeks).

Client Access Portal

Copies of the bundles can be sent to Counsel via the secure portal so they can be downloaded. The bundle will usually be provided by the Local Authority via their own secure portal/download link.

Client Care Letter



Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

{ IF {MERGEFIELD LINKNAME_SURNAME_1 } = "{ MERGEFIELD LINKNAME_SURNAME_2 }" "{ MERGEFIELD LINKNAME_TITLE_1 } & { MERGEFIELD LINKNAME_TITLE_2 } { MERGEFIELD LINKNAME_INITIALS_1 } { MERGEFIELD LINKNAME_SURNAME_1}" "{ IF { MERGEFIELD LINKNAME_SURNAME_2 } = "" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_INITIALS_1 } { MERGEFIELD LINKNAME_SURNAME_1}" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_INITIALS_1 } { MERGEFIELD LINKNAME_SURNAME_1 } & { MERGEFIELD LINKNAME_TITLE_2 } { MERGEFIELD LINKNAME_INITIALS_2 } { MERGEFIELD LINKNAME_SURNAME_2}" }" } { MERGEFIELD CALCULATION_ADDRESS }

Dear { IF {MERGEFIELD LINKNAME_SURNAME_1 } = "{ MERGEFIELD LINKNAME_SURNAME_2 }" "{ MERGEFIELD LINKNAME_TITLE_1 } and { MERGEFIELD LINKNAME_TITLE_2 } { MERGEFIELD LINKNAME_SURNAME_1}" "{ IF { MERGEFIELD LINKNAME_SURNAME_2 } = "" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_SURNAME_1}" "{ MERGEFIELD LINKNAME_TITLE_1 } { MERGEFIELD LINKNAME_SURNAME_1 } and { MERGEFIELD LINKNAME_TITLE_2 } { MERGEFIELD LINKNAME_SURNAME_2}" }" }

Re: { MERGEFIELD MATTER MATTER_DESCRIPTION }

I am { MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }, a JOB TITLE, in the Family Department. I will have conduct of your matter throughout. I am supervised by NAME, a JOB TITLE.

Your Instructions

Our Advice

The Local Authority will issue ‘Care Proceedings’ where they are concerned about the care you provide to your children. This means the Local Authority will make an application to the Court asking that your child is put into care permanently.

The Court have to look at the Welfare Checklist when they decide what is best for your child.

This includes:

- The wishes and feelings of your child, considering his or her age and understanding.
- The effect on your child of a change of circumstances
- The age, sex and background of your child which could be relevant to the Court's decision
- Any harm that your child has suffered or is at risk of suffering
- How capable each parent is of meeting your child's needs
- The different options available to the Court

When the Local Authority make the application to the Court, the Court will look at it within 24 hours. The Local Authority will always make the application to the Family Court which is closest to where your child is living.

A Guardian will be appointed on behalf of your child. The Guardian is a social worker from CAF/CASS (Children and Families Court Advisory and Support Service), who is completely separate and independent from the Local Authority's social worker. This is to make sure your child's best interests are represented fairly in the case.

The Court will set out a timetable of dates, which are sometimes called 'directions'. These directions set out when each party must give their evidence in support of their case, or a date when evidence from an expert must be given (for example, an expert doctor might need to give an opinion on an injury). Sometimes evidence is needed from third parties, such as police evidence or medical evidence.

Case Management Hearing

The Court will also arrange for the first hearing to take place, which is called the Case Management Hearing. The Court will not make a final decision about your child at this hearing. The purpose of it is to find out some further information. The Court will try to find out the following:

- What the main issues are in your case
- Creating the timetable for the case
- What evidence is needed, for example witness statements or expert reports
- Whether you disagree with what the Local Authority say about the care you give to your child, or whether you disagree with the other parent. This helps the Judge to decide whether he will need to hear evidence from anyone.
- Whether there are any other people who should be joined to the case, for example a family member or a third party who has been accused of abusing your child.
- The Court will also set a date for the Local Authority to prepare their final evidence and Care Plan. You and the other parent will be able to give a statement replying to the Local Authority's evidence.

Issues Resolution Hearing

After the Case Management hearing, the Court will list the next hearing which is called the 'Issues Resolution Hearing'.

At the next hearing, all the evidence will have been supplied to the Court and to each party. If the parties are in agreement, then a final order can be made at this hearing.

Final Hearing

If the parties do not agree, then Court will list a final hearing where the parties can give evidence, and the Court will decide what order should be made.

Usually, this happens because the Local Authority say that your child should not live with you, but you disagree with this.

These are the main hearings which take place in Care Proceedings, however sometimes there will be other hearings which you need to attend. This could happen where an urgent decision needs to be made, for example. You should always ensure you go to Court hearings.

Timescales

The guidelines say that the Care Proceedings should take no longer than 6 months (26 weeks), so the Court will try to make sure it does not take longer than this. Sometimes in complicated cases it will take longer than this, but I will keep you updated about the timescale of your case regularly.

Costs

You are entitled to free Legal Aid in this type of case. It does not matter how much you earn, or whether you have a job or not. This includes the cost of me or another solicitor at this firm attending Court to represent you, or a barrister.

There are a few things you need to know about Legal Aid though.

You must let me know if your address changes, as I will need to notify the Legal Aid Agency straight away.

You must give me your instructions throughout the case and attend any hearings which the Court tells you to. If you do not do these things, then the Legal Aid Agency can cancel your Legal Aid, and I would not be able to help you anymore. You would then need to represent yourself in your case which you may find difficult. Therefore, it is very important that you keep in contact with me during your case, and I will keep you regularly updated.

Next Steps

You must sign and return the copy of this letter as soon as possible. It is important you do this, otherwise I cannot start work on your case.

My Firm uses a secure internet portal where I can send you documents and you can contact me. I will send you a login for this portal soon. If you don't have access to the internet, please let me know so I can send documents to you in the post instead.

If you have any questions, please do not hesitate to contact me.

Yours sincerely

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Notice of Acting

CASE NO: { MERGEFIELD PUB_CH_ORG_COURT1CASENO }

IN THE { MERGEFIELD PUB_CH_ORG_COURT1_name }

B E T W E E N:

{ MERGEFIELD PUB_CH_ORG_LOCALAUTH1_name }

Applicant

-and-

Respondent

Notice of Acting

TAKE NOTICE that we { MERGEFIELD PRACTICEINFO_PRACTICE_NAME } of { MERGEFIELD PRACTICEINFO_HOUSE }, { MERGEFIELD PRACTICEINFO_AREA }, { MERGEFIELD PRACTICEINFO_POSTAL_TOWN }, { MERGEFIELD PRACTICEINFO_POSTCODE } have been appointed to act as Solicitors for the above-named Respondent generally/limited to the following matters only:

Our address for service is:

{ MERGEFIELD PRACTICEINFO_DX_NO }
{ MERGEFIELD PRACTICEINFO_HOUSE }
{ MERGEFIELD PRACTICEINFO_AREA }
{ MERGEFIELD PRACTICEINFO_POSTAL_TOWN }

{ MERGEFIELD PRACTICEINFO_POSTCODE }

Ref: { MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Dated: { SET LETTER{ DATE \@ "d
MMMM yyyy" } }{ref LETTER \@ "d
MMMM yyyy" \ * MERGEFORMAT }

Signed:

{ MERGEFIELD
PRACTICEINFO_PRACTICE_NA
ME }
For the Respondent

To: The Court

Brief to Counsel

CASE NO: { MERGEFIELD PUB_CH_ORG_COURT1CASENO }

IN THE { MERGEFIELD PUB_CH_ORG_COURT1_name }

B E T W E E N:

{ MERGEFIELD PUB_CH_ORG_LOCALAUTH1_name }

Applicant

-and-

Respondent

BRIEF TO COUNSEL

Counsel will find enclosed:

1. Bundle
2. Legal Aid Certificate

Background:

Should Counsel have any questions or wish to discuss anything would he/she please contact { MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION } of Instructing Solicitors.

Dated: { DATE \@ "dd MMMM yyyy" }

CASE NO: { MERGEFIELD PUB_CH_ORG_COURT1CASENO }

IN THE { MERGEFIELD PUB_CH_ORG_COURT1_name }

BETWEEN:

{ MERGEFIELD PUB_CH_ORG_LOCALAUTH1_name }

Applicant

-and-

Respondent

BRIEF TO COUNSEL

Counsel: { MERGEFIELD PUB_CH_ORG_CNLS1_name }
{ MERGEFIELD PUB_CH_ORG_CNLS1_address }

Solicitor: { MERGEFIELD PRACTICEINFO_PRACTICE_NAME }
{ MERGEFIELD BRANCHINFO_HOUSE }
{ MERGEFIELD BRANCHINFO_AREA }
{ MERGEFIELD BRANCHINFO_POSTAL_TOWN }
{ MERGEFIELD BRANCHINFO_COUNTY }
{ MERGEFIELD BRANCHINFO_POSTCODE }

{ IF { MERGEFIELD BRANCHINFO_DX_NO } <> "" "DX: «BRANCHINFO_DX_NO»" ""
}

Tel: { MERGEFIELD BRANCHINFO_PHONE_NO }

Fax: { MERGEFIELD BRANCHINFO_FAX_NO }

Ref: { MERGEFIELD "MATTER_FEE_EARNER_ID" * Upper }/{ MERGEFIELD
client_no }/{ MERGEFIELD matter_no }

Letter to Counsel enclosing brief

and bundle



Our Ref: { MERGEFIELD MATTER_FEE_EARNER_ID }/{ MERGEFIELD client_no }/{ MERGEFIELD matter_no }

Your Ref:

{ SET LETTER{ DATE \@ "d MMMM yyyy" } }{ref LETTER \@ "d MMMM yyyy" \ * MERGEFORMAT }

F.A.O. Clerk to { MERGEFIELD PUB_CH_ORG_CNLSL1CON1_title } { MERGEFIELD PUB_CH_ORG_CNLSL1CON1_initials } { MERGEFIELD PUB_CH_ORG_CNLSL1CON1_surname }
{ MERGEFIELD PUB_CH_ORG_CNLSL1_address }

Dear Sirs

{ MERGEFIELD PUB CH ORG LOCALAUTH1 name } v { MERGEFIELD LINKNAME FORENAME 1 } { MERGEFIELD LINKNAME SURNAME 1 }, { MERGEFIELD LINKNAME FORENAME 2 } { MERGEFIELD LINKNAME SURNAME 2 }, { MERGEFIELD PUB CH OP1 2 OP1 FORENAME } { MERGEFIELD PUB CH CHILD FW INJ C1SURNAM }, { MERGEFIELD PUB CH CHILD FW INJ C2FORENA } { MERGEFIELD PUB CH CHILD FW INJ C2SURNAM } & { MERGEFIELD PUB CH CHILD FW INJ C1FORENA } { MERGEFIELD PUB CH CHILD FW INJ C1SURNAM }, { MERGEFIELD PUB CH CHILD FW INJ C2FORENA } { MERGEFIELD PUB CH CHILD FW INJ C2SURNAM }, { MERGEFIELD PUB CH CHILD FW INJ C3FORENA } { MERGEFIELD PUB CH CHILD FW INJ C3SURNAM }, { MERGEFIELD PUB CH CHILD FW INJ C4FORENA } { MERGEFIELD PUB CH CHILD FW INJ C4SURNAM }, { MERGEFIELD PUB CH CHILD FW INJ C5FORENA } { MERGEFIELD PUB CH CHILD FW INJ C5SURNAM } & { MERGEFIELD PUB CH CHILD FW INJ C6FORENA } { MERGEFIELD PUB CH CHILD FW INJ C6SURNAM } Acting by their Guardian Case No. { MERGEFIELD PUB CH ORG COURT1CASENO }

Please find enclosed Brief to Counsel in the above matter. We should be grateful if this could be passed to { MERGEFIELD PUB_CH_ORG_CNLSL1CON1_title } { MERGEFIELD PUB_CH_ORG_CNLSL1CON1_surname } as soon as possible.

Yours faithfully,

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME*UPPER }

Dossier Pages

Dossier Pages/Fields

Other Party Details 1-2 PUB_CH_OP1_2		
OP1_TITLE	OP 1 Title	Text
OP1_FORENAME	OP 1 Forename	Text
OP1_SURNAME	OP 1 Surname	Text
OP1_ADDRESS	OP 1 Address	Address
OP1_DOB	OP 1 DOB	Date
OP1_TEL	OP 1 Telephone	Text
OP1_EMAIL	OP 1 Email	Email
OP2_TITLE	OP 2 Title	Text
OP2_FORENAME	OP 2 Forename	Text
OP2_SURNAME	OP 2 Surname	Text
OP2_ADDRESS	OP 2 Address	Address
OP2_DOB	OP 2 DOB	Date
OP2_TEL	OP 2 Telephone	Text
OP2_EMAIL	OP 2 Email	Email

Other Party 3-4 PUB_CH_OP3_4		
OP3_TITLE	OP 3 Title	Text
OP3_FORENAME	OP 3 Forename	Text
OP3_SURNAME	OP 3 Surname	Text
OP3_ADDRESS	OP 3 Address	Address
OP3_DOB	OP 3 DOB	Date
OP3_TEL	OP 3 Telephone	Text
OP3_EMAIL	OP3 Email	Email
OP4_TITLE	OP 4 Title	Text
OP4_FORENAME	OP 4 Forename	Text
OP4_SURNAME	OP 4 Surname	Text
OP4_ADDRESS	OP 4 Address	Address
OP4_DOB	OP 4 DOB	Date
OP4_TEL	OP 4 Telephone	Text
OP4_EMAIL	OP 4 Email	Email

Other Party 5-6 PUB_CH_OP5_6		
OP5_TITLE	OP 5 Title	Text
OP5_FORENAME	OP 5 Forename	Text
OP5_SURNAME	OP 5 Surname	Text
OP5_ADDRESS	OP 5 Address	Address
OP5_DOB	OP 5 DOB	Date
OP5_TEL	OP 5 Telephone	Text
OP5_EMAIL	OP 5 Email	Email
OP6_TITLE	OP 6 Title	Text
OP6_FORENAME	OP 6 Forename	Text
OP6_SURNAME	OP 6 Surname	Text
OP6_ADDRESS	OP 6 Address	Address

OP6_DOB	OP 6 DOB	Date
OP6_TEL	OP 6 Telephone	Text
OP6_EMAIL	OP 6 Email	Email

Other Party 7 PUB_CH_OP7		
OP7_TITLE	OP 7 Title	Text
OP7_FORENAME	OP 7 Forename	Text
OP7_SURNAME	OP 7 Surname	Text
OP7_ADDRESS	OP 7 Address	Address
OP7_DOB	OP 7 DOB	Date
OP7_TEL	OP 7 Telephone	Text
OP7_EMAIL	OP 7 Email	Email

Professionals/Organisations PUB_CH_ORG		
COURT1	Court	Organisation - Court
COURT1CONTACT	Court Contact	Contact - Court
COURT1CASENO	Court Case no.	Text
LOCALAUTH1	Local Authority 1	Organisation – Local Authority
LOCALAUTH1_SOL	Local Authority Solicitor	Contact - Solicitor
LOCALAUTH1_SW	Local Authority Social Worker	Contact – Social Worker
CAFCASS1	CAFCASS 1	Organisation - CAFCASS
CAF1CASS1CON1	CAFCASS 1 Contact 1	Contact - CAFCASS
CNSL1	Counsel 1	Organisation - Counsel
CNSL1CON1	Counsel 1 Contact	Contact - Counsel
WEB_ENQ_COMMENT	Any comments?	Multiline text

Children of the Family PUB_CH_CHILD		
Field ID	Field Description	Field Type
FW_INJ_C1FORENA	Child 1 Forename(s)	Text
FW_INJ_C1SURNAM	Child 1 Surname	Text
FW_INJ_C1DOB	Child 1 DOB	Date
FW_INJ_C2FORENA	Child 2 Forename(s)	Text
FW_INJ_C2SURNAM	Child 2 Surname	Text
FW_INJ_C2DOB	Child 2 DOB	Date
FW_INJ_C3FORENA	Child 3 Forename(s)	Text
FW_INJ_C3SURNAM	Child 3 Surname	Text
FW_INJ_C3DOB	Child 3 DOB	Date
FW_INJ_C4FORENA	Child 4 Forename(s)	Text
FW_INJ_C4SURNAM	Child 4 Surname	Text
FW_INJ_C4DOB	Child 4 DOB	Date
FW_INJ_C5FORENA	Child 5 Forename(s)	Text
FW_INJ_C5SURNAM	Child 5 Surname	Text
FW_INJ_C5DOB	Child 5 DOB	Date
FW_INJ_C6FORENA	Child 6 Forename(s)	Text
FW_INJ_C6SURNAM	Child 6 Surname	Text

FW_INJ_C6DOB	Child 6 DOB	Date
OS Solicitor PUB_CH_SOL		
Field ID	Field Description	Field Type
OP_SOL1_REF	Solicitor 1 Ref	Text
OP_SOL1	Solicitor 1	Organisation - Solicitor
OP_SOL1_CONTACT	Solicitor 1 contact	Contact - Solicitor
OP_SOL2_REF	Solicitor 2 Ref	Text
OP_SOL2	Solicitor 2	Organisation
OP_SOL2_CONTACT	Solicitor 2 contact	Contact
OP_SOL3_REF	Solicitor 3 Ref	Text
OP_SOL3	Solicitor 3	Organisation
OP_SOL3_CONTACT	Solicitor 3 contact	Contact
OP_SOL4_REF	Solicitor 4 Ref	Text
OP_SOL4	Solicitor 4	Organisation
OP_SOL4_CONTACT	Solicitor 4 contact	Contact
OP_SOL5_REF	Solicitor 5 Ref	Text
OP_SOL5	Solicitor 5	Organisation
OP_SOL5_CONTACT	Solicitor 5 contact	Contact
OP_SOL6_REF	Solicitor 6 Ref	Text
OP_SOL6	Solicitor 6	Organisation
OP_SOL6_CONTACT	Solicitor 6 contact	Contact