

Children and young person's guide: Family court after separation

Sometimes after parents separate they find it hard to agree on important things and will ask the court for help. Cafcass knows that this can be a really hard time for you and that you may feel unsure about what is going to happen next. Here is some information for you about what might happen when your family goes to court and who can help you.



What is Cafcass?

Cafcass stands for Children and Family Court Advisory and Support Service. Sometimes families have problems that they can't sort out on their own. Cafcass workers, called Family Court Advisers, help adults work out things like who looks after you and who you should spend time with. The Cafcass worker is here to make sure that the best things happen for you. Cafcass and the courts will help you and your family in the safest way possible and as quickly as they can.

A court is where a judge or magistrate will make the key decision about you, so...

What is a judge or magistrate?

- * **A judge** works in the family court. They listen to information about you and will make the decision about what is right for you.
- * **Magistrates** are trained members of the community who also work in the family court. There are normally three magistrates who will make a decision about you.

The most important thing to **remember** is that whatever is happening to you and your family right now is **NOT your fault** and that people will listen to you and try to help.

You can find out more about Cafcass by checking out www.cafcass.gov.uk.

You will be able to read stories and watch clips from other children and young people. You can also take a look at a [Glossary](#) that will explain what certain words mean that you may hear or read that you don't understand, plus lots more useful information.



Here is a step by step guide that explains what happens when families go to court



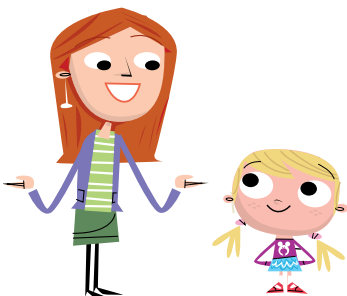
Your parent or carer has asked the court to help with making the right decision about you by filling in an application. This decision might be about who you should live with or how much time you can spend with each parent.

The court looks at the application and decides whether a judge or magistrate is best to help. The court will decide a date for a meeting at court, called a hearing.



The court will then ask Cafcass to help. A Cafcass worker will contact your parents to talk about the issues they are having. They will also talk to the police and local authority to see whether they have any relevant information about your family. They then write a report called a Safeguarding Letter to the court to tell them about your situation.

Your parents and a Cafcass worker will attend court and they will tell the judge or magistrate what they think will be best for you. The judge or magistrate will read the Safeguarding Letter and hear from your parents. They will decide whether they have enough information to make a decision, which is written down - this is called a court order.



If the court need more information they will ask Cafcass to complete a Section 7 report. This report will be completed by another Cafcass worker and will include more information from your parents and maybe from other people, like your school. In most cases the Cafcass worker will talk to you about your wishes and feelings. You can also ask them questions.

The Cafcass worker will ask you if you would like to write a letter or draw a picture to the judge. You can also ask the Cafcass worker if you would like to meet with the judge. The judge will decide if this is ok.

At the court hearing the judge will make a decision about what is best for you. They will know your wishes and feelings, but will also think about all the other information from your parents and the Cafcass worker.

