

Serving the forms - Children Act 1989

Part 1

About service

About this leaflet

The court office has issued your application, returned your copies, and provided copies of new forms which may include:

- C6 or C6A (Notices of Proceedings)
- C7 (Acknowledgement)
- C9 (Statement of Service).

This leaflet will tell you what to do with these new forms.

Why you need the new forms

You must now tell certain people that you have applied for a court order. This is called service and you must, by law, serve all those people unless the court has told you not to serve them.

There are rules about:

- when you serve
- who you must serve
- what you must serve (you will have to serve other papers with form C6)
- how you can serve.

This leaflet explains these rules but if you have any problems with service tell the court office at once.

About forms C6 and C6A

These are both called Notices of Proceedings but they have different notes on the back, and under 'What to do next' on the front.

The court office has put on each Notice: the date, the time, and the place for the first hearing of your case (the directions hearing).

The office has provided you with a Notice for everyone you must serve. However, you are responsible for service, so check that you have all the Notices you need. You can find out who you must serve, in Part 2 and Part 3 of this leaflet.

When to serve

You must serve the forms and other papers by a date which the court office will tell you. When you have served everyone you must fill in form C9. This will tell the court the date and time when you served each person.

Who you must serve

Everyone in:

Part 4 of form C1

or

Part 3 of form C2

or

Part 7 of form C100

or

Part 5 of form C79

What to serve

Serve everyone with:

- their copy of the Notice of Proceedings, form C6
- a copy of each form
- a copy of any other papers which the court office has allowed you to file at the court (for instance, a copy of a court order)
- a **blank** Statement of Means if you have filled in form C10A
- an Acknowledgement, form C7, if the court office has provided this form.

How to serve

You may only serve in the ways given in Part 4 of this leaflet.

Who you must serve

Everyone in Part 5 of form C1 or Part 8 of form C100.

What to serve

Serve everyone with their copy of the Notice of Proceedings, form C6A.

This is the **only** form you serve.

Do not serve copies of any other papers with form C6A.

Serving form C6A in an application for an enforcement order or an order for compensation for financial loss (form C79)

The other persons to be notified named in Part 6 of Form C79 should be served as described below.

If you have named a Cafcass or Cafcass CYMRU officer in Part 6 of Form C79 who is monitoring the contact order or enforcement order, you must serve the officer with:

- Their copy of the Notice of Proceedings, form C6A.

If you have named a person who was the child(ren)'s guardian, guardian ad litem, next friend or a legal representative for a child in the original contact proceedings at part 6 of your C79 application you must serve that person with:

- Their copy of the Notice of Proceedings, form C6A
- The letter [Reference: CREPLET] as sent to you by the court office.
- A copy of the application form
- A copy of any other papers you have filed at court (for example a court order)

The documents should be sent to the persons to be notified (but also see the next paragraph). They should **not** be sent to the child. The person who receives the letter must advise the court whether it is in the best interests of the child for the child to be a party to the proceedings for this application.

If the notification is to sent to a person who was or is a Cafcass/Cafcass Cymru officer, then notification should be sent to the manager of the local Cafcass/Cafcass Cymru office, rather than to the named officer.

How to serve

You can only serve in the ways given in Part 4 of this leaflet.

If someone has a solicitor

always serve the solicitor:

by sending the forms to the solicitor's office by 1st class post

or

by taking the forms to the solicitor's office.

If someone does not have a solicitor,

or you are not certain whether they do:

hand the forms to the person you are serving

or

send the forms to them by 1st class post.

If someone is under 18

you **must** serve the forms on their solicitor. But if they do not have a solicitor you must apply to the court for permission to serve the child. Use form C2 to do that.

Note: This does not apply to the circumstances described in Part 3 about service of the C6A and other papers in an application for enforcement or for financial compensation. In those cases you must serve the papers in the way explained in Part 3.

When you have served the papers

Fill in the Statement of Service form C9, and make a copy of it for yourself. Then:

take the Statement, or send it, to the court office before the hearing

or

take it with you to the hearing.