



FAMILY LAW PORTAL

Part of Comptons Solicitors LLP

FIRST HEARING DISPUTE RESOLUTION APPOINTMENT (FHDR)

The first hearing is called a First Hearing Dispute Resolution Appointment (FHDR). To give time for the safe-guarding checks it will usually not be less than 4 weeks after issue of the application. At the FHDR the Court will consider the safeguarding information and will try and encourage the parties to resolve the matter by agreement. The Court will listen to both parties but will not hear any evidence, and if things cannot be completely re-solved will normally make **directions** to progress the case.

FACT FINDING HEARING

A Fact-Finding Hearing is a type of court hearing that considers the evidence surrounding allegations, and where a decision is reached as to whether alleged incidents did or did not happen. Most commonly, these allegations concern domestic abuse. Evidence is heard, which will normally include parties being cross-examined. After having heard the evidence, the Judge will decide whether the alleged incidents happened or not.

When making a decision the Judge has to consider the allegations made by each side. It is for the person making the allegations to prove that they are true. The Judge will consider on the balance of probabilities whether the allegations are true or not. This means that the judge will consider whether it is more likely than not that the allegations are true.

DISPUTE RESOLUTION APPOINTMENT HEARING

Once the Court has decided on what happened in the past at any Fact-Finding Hearing and everyone has received any recommendations from CAFCASS you will be called back to see if the matter can be agreed and the case will end, if so, a final order will be made. If not, the case will probably be listed for a contested final hearing, with time for you to give evidence.

FINAL HEARING

The final hearing itself is a form of trial when usually both parties will give evidence and will be able to challenge the parts of the other person's evidence by asking them questions. The Judge will listen and come to a decision. A **Final Order** will then be granted telling the parties what they can and cannot do.