

## **Factfinding hearing**

The aim is for the Court to decide upon the truth of allegations. This will then help them decide what should happen in your case regarding child arrangements. By their nature these hearings do dredge up the past and can be upsetting. Having a solicitor to speak for you can be very helpful at a Factfinding – ask us if you would like more information about solicitors.

The hearing will follow an ordered procedure:

1. The person making the allegations will tell their story
2. The other party may challenge (cross-examine) them
3. The person responding to the allegations will put their case
4. The other party may challenge (cross-examine) them.

### **When putting your case**

This is your chance to tell your side of the story, so take your time and make sure you say everything you want the court to know. Refer to evidence where applicable.

### **When the other side are putting their case**

Listen hard, and make notes about points you would like to question them further on. Don't interrupt – you will get your turn to speak.

### **When responding to questions**

Take your time. If you do not understand what you are being asked during questioning, be sure to ask for clarification.

### **Top tips**

Prepare well beforehand by doing the following:

- Have all your papers in order and easy to find – in a folder with numbered tabs is a good system.
- Make time to read carefully through the evidence in the Court 'bundle' in advance.
- Make notes about what you want to say. Prepare a list of the evidence that you want to tell the Court about to support your case.
- Jot down any inaccuracies in the other person's statement, as you will have the opportunity to challenge them in court.
- Practice beforehand – at home, by yourself or to a friend.

### **What next?**

This purpose of this hearing is to determine the truth of the allegations. A further hearing will be arranged to decide what happens next in your case.

*Please remember, you should not talk to your children about your family court case.*

Please contact us if you would like this guide in another language.

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