

Case Study

FDR offers alternative to court

In some cases a small amount of support, and the knowledge that support is available if needed, means families resolve their own issues.

Circumstances change for families and it makes sense for care arrangements to change too. But when a family has already been through a court process they may not want to re-open old wounds. A mother recently contacted an FDR provider about how to make a change to a care arrangement. She knew didn't want to involve lawyers but based on previous history felt unable to approach her former partner unsupported.

She completed the FDR screening process, and was able to attend a Parenting Through Separation (PTS) course. PTS is designed to help people who are separating understand what their children need to help them deal with separation and work out agreements about caring for children without going to court where this is possible. PTS has been made more widely available in the last year. She also received legal advice through the Family Legal Advice Service (FLAS).

When the FDR resolution co-ordinator contacted the father, his initial response was anger and concern about the possibility of a further court process and legal costs. Further separate discussions with each party identified that there was enough common ground coupled with good will around the interests of the child for the parents to try to work out a solution themselves. The case was put on hold, and the mother contacted a fortnight later to check on progress.

In this time the parents had agreed to trial, then review, a new arrangement. The mother was happy to withdraw the case, knowing that she could come back if she needed help in future.