



Family Law Quiz - Answers

1) How long do child arrangements orders normally last?

- a. Until the child named in the order is 18.
- b. Until the child named in the order is 16, unless exceptional circumstances exist.
- c. Until the child named in the order is 16.

Answer (b) - refer to section 9(6) of the Children Act 1989

2) If I am named in a child arrangements order as someone with whom the child lives, can I take my child abroad on holiday for 45 days?

- a. Possibly, but you must have the consent of each other holder of parental responsibility for the child, or failing this, the court's consent via a specific issue order.
- b. Yes. Being named as such in a child arrangements order allows you to make these decisions on your own.
- c. No. You can only take your child on holiday for up to a month without the court's consent.

Answer (a) - refer to section 13(1)(b) and 13(2) of the Children Act 1989

3) Having a residence order or child arrangements order naming me as the person with whom the child lives gives me the right to change the child's surname. Is this true?

- a. Yes. As the resident parent, you automatically have the right to make this decision.
- b. No. Once a child arrangements order has been made, only the court can approve a change in surname.
- c. Possibly. You must however first obtain the consent of each other holder of parental responsibility for your child, or failing this, have sought the court's permission via a specific issue order.

Answer (c) - refer to section 13(1)(a) of the Children Act 1989



4) Under which of the following circumstances would you normally need to ask the court's permission to apply for contact with a child (via a child arrangements order)?

- a. You are the child's biological grandparent, and saw the child every week of their life.
- b. You have no biological tie to the child but lived with him/her for four years within the last five, and only moved out of their home two months ago. You were never married to their biological parent.
- c. You are a neighbour, but the resident parent supports your application.

Answer (a) - refer to section 10(5) of the Children Act 1989

5) Under which of the following circumstances would a child arrangements order automatically end?

- a. The parents get back together.
- b. Once the parents have been living together for 6 months.
- c. Once the parents have been living together for 12 months.
- d. Only if an application were made to discharge the order.

Answer (b) - section 11(5) of the Children Act 1989

6) A court will only consider making an order for shared living arrangements if the child spends half of their time with each parent. Is this...

- a. True
- b. False

Answer (a) - refer to the cases *K (Shared Residence Order)* [2008] 2 FLR 380. Care does not need to be more or less equal for a court to make an order for shared living arrangements. The case *C (A Child)* [2006] EWCA Civ 235 gives a good guide as to circumstances a court may consider for the granting of shared living arrangements.



7) Which form would normally be used to apply for a parental responsibility order?

- a. C1
- b. C100
- c. C(PRA)1

Answer (a) - *The C100 form is used for orders made under section 8 of the Children Act 1989, while the C(PRA)1 form is used where parents make a formal agreement in respect of parental responsibility. The C1 form is used for applications for parental responsibility.*

8) Posting details of your family court case on social media is?

- a. Frowned upon.
- b. Fine, the law has changed allowing this.
- c. Contempt of court unless you have the court's specific permission to do so.

Answer (c) - *Section 97 of the Children Act 1989 and sections 12.73 and 12.75 set out who you may and may not discuss your court case with. Breaking these rules could result in imprisonment.*

9) Shared living arrangements (called shared residence before residence orders were replaced by child arrangements orders in April 2014), cannot be made if one parent is hostile to the idea. Is this?

- a. True
- b. False

Answer (b) – *refer to the judgment in A v A [2004] EWHC 142 (Fam)*



10) You disagree with your ex-partner's choice of school. You wish the court to resolve the matter. You should apply for:

- a. a specific issue order.
- b. a child arrangements order.
- c. a prohibited steps order.
- d. a schools arrangements order.

Answer **(a)** – refer to section 8(1) of the Children Act 1989

Further Reading

Topics covered in this quiz are covered by the following guides on The Custody Minefield site:

- Child Arrangements Orders
- Courts and Confidentiality
- Do I Need Permission to Apply to the Court?
- Parental Responsibility (PR)
- PR – Medical Matters
- PR – Education
- Residence Orders
- Shared Living Arrangements
- Shared Living Arrangements Case Law