

IMPORTANT

Notes for Respondents

You have been served with a copy of an appellant's notice (an appeal).

If the notice includes an application for permission to appeal, you do not need to do anything unless and until you receive notice from the court that permission has been given to the appellant.

If permission is given, you will only have a limited time in which to reply to the appeal. You must decide what to do quickly.

You can:

- also appeal against the same order; or
- ask for the order to be varied; or
- ask that the order be upheld by the appeal court for different or additional reasons than those given by the lower court (the court who made the order being appealed); or
- ask that the order be upheld for the same reasons relied on by the lower court; or
- do nothing.

If you wish to appeal, vary or uphold the order being appealed for different or additional reasons, **you will need to complete a Respondent's Notice (form FP162)** and send it to the court. **You will generally need permission to appeal and have a very limited time to do this.** The FP162, the notes for guidance for completing it (**FP162A – Guidance notes for completing the respondent's notice**), and the leaflet **EX340 - 'I want to appeal'** can be:

- downloaded from hmctsformfinder.justice.gov.uk;
- obtained from court staff at any family court office;
- requested from the Family Division Appeals Office, Floor 1M, Queen's Building, Royal Courts of Justice, Strand, London, WC2A 2LL.

Court staff can explain about time limits and tell you the documents you will need to support your appeal, however, they cannot give legal advice (e.g. whether you should appeal, whether you should respond to the appellant's appeal or how successful any appeal would be) or tell you what to write on the form.

If you simply wish to ask the appeal court to uphold the order for the reasons given in the lower court, but have additional arguments to make in the appeal court, you should also complete a respondent's notice. Alternatively you may set these additional arguments out in a separate document (referred to as a 'Skeleton Argument'), which sets out the points you wish to make to the appeal court. If you file a skeleton argument, for each ground of appeal, you should write a few sentences explaining why you want the appeal court to uphold the decision of the lower court. Information about making an appeal to the Family Division of the High Court can be obtained from the Family Appeals Office, Floor 1M, Queen's Building, Royal Courts of Justice, Strand, WC2A 2LL; DX 44450 Strand; Phone 020 7947 7192.

If you do not complete a respondent's notice clearly setting out your grounds of appeal, you will not be able to later rely on any additional arguments at the hearing of the appeal which were not raised in the lower court unless the appeal court gives you permission.