

Application notice to vary or set aside an order in relation to children (drug and/or alcohol toxicology test after 2010)

To be completed by the court

Name of court	
Case no.	
Date issued	

Complete this form only where (1) **Trimega Laboratories Limited** conducted a drug or alcohol hair-strand test in your case and (2) you assert that the result was wrong and that it materially affected your court order.

1. Was a hair-strand test for drugs/alcohol prepared and an expert report submitted in your case by Trimega Laboratories Limited?

- Yes – during 2010 to 2014 by Trimega Laboratories Limited
- No – **DO NOT** complete this form

2. Please state your full name (including any middle names)

The full name should be the **name of a party in the original proceedings**, or can be a local authority if it wishes to use this process.

3. Please state the full names (including any middle names) and date of birth, of the child(ren) in your case.

Full name of child	Date of birth	Relationship to the child

4. Was a local authority involved in your case?

- Yes, the name of the local authority (if more than one local authority was involved please list them all).

- No

5. The original proceedings

Which court dealt with your case and (if known) what was the case number?

Have you attached a copy of the final order or a copy of the order containing the direction for the hair-strand testing?

- Yes
- No
- I do not have a copy

OTHER DOCUMENTS ABOUT THE ORIGINAL PROCEEDINGS WILL NOT BE CONSIDERED BY THE COURT

6. I was the/my client was the:

- Applicant
- Respondent
- Other (please specify)

7. What was the outcome of the children's case you were involved in?

- Placement for adoption order
- Care order
- Supervision order
- Special Guardianship order
- Contact Order/Residence Order/Child Arrangements Order
- Other

After April 2014 Contact Orders and Residence Orders are called a Child Arrangements Order.

8. Do you consider that the test result was material to the outcome of the case?

- Yes, give brief details, including whether you questioned the reliability of the result at the time.

- No

9. What are you asking the court to do and why?

If you have drafted a copy of the order you are applying for, please **attach** the draft order.

DO NOT SEND ANY OTHER DOCUMENTS TO THE COURT AS THEY WILL NOT BE CONSIDERED

10. This application may be considered by a judge on the information you have set out in your application notice. The judge may make an order on that information, without a hearing. However, any party who objects to an order made in this way may apply to the court within 7 days of it being made, for a hearing, at which all parties can attend, when the application will be reconsidered.

Are there any reasons why this application should not be dealt with on paper by a judge?

Yes, my reasons are

No

Are there any reasons why this application should not be dealt with at a telephone hearing?

Yes, my reasons are

No

11. Since these original proceedings ended have there been other proceedings in the family court?

Yes, give details including the name of the court and (if known) the case number

No

12. Please confirm the details of the respondent and any other party who should be served with this application.

Give names and addresses, including postcodes (if necessary, please continue on a separate sheet)

Statement of truth

This section must be completed by the person making this application or by a solicitor acting for the Applicant (in this section referred to as the applicant).

- I believe that the facts stated in this section (and any continuation sheets) are true.
- The Applicant believes that the facts stated in this section (and any continuation sheets) are true.
- I am duly authorised by the Applicant to sign this statement.

Signed

Date

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Print full name

Name of applicant's solicitor's firm, if applicable

Position or office held (if signing on behalf of a firm or company)

If you are sending this form by email you can type your name here and email it without handwriting your signature. You must keep a signed copy and provide it to the court if requested.

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

Applicant's address to which documents about this application should be sent:	If applicable											
	Telephone no.											
	Fax no.											
	DX no.											
	Your ref.											
Postcode	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>											

E-mail	<input type="text"/>
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When you have completed this form, please send it along with any other document you have said you are going to attach in your application by email or post, to the following:

email: forensictestingfamilycourt@hmcts.gsi.gov.uk

or

if sending by post,

Forensic Testing Court Applications
The Law Courts
Petters Way
Yeovil
Somerset
BA20 1SW

Only send this form by email or post not both.

Court staff cannot give legal advice. This includes advice on what type of application you should make and the likelihood of any application being successful.

You can find out more about legal aid for family matters, including whether you may be eligible for legal aid on the Legal Aid Information Service on the Gov.UK site at: www.gov.uk/check-legal-aid.

Alternatively you can contact a legal advice agency such as:

- Civil Legal Advice – phone 0345 345 4 345 or www.gov.uk/civil-legal-advice
- Citizens Advice – www.citizensadvice.org.uk to find contact details for your local office