

# Application Notice (FP244) – Notes for Guidance

Court Staff cannot give legal advice. You may qualify for legal aid. Visit [www.gov.uk/legal-aid](http://www.gov.uk/legal-aid). Alternately you can contact your local Citizens Advice. Details of your local offices and contact numbers are available via their website [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

## Paying the court fee

A court fee is payable depending on the type of application you are making. For example:

- To apply for permission to amend your appellant's notice or respondent's notice
- To introduce new evidence before the appeal court not put before the original proceedings
- To apply for a summons or order for a witness to attend
- To apply for an extension of time in compliance with directions given by the court.

No fee is payable for an application by consent for an adjournment of a hearing if it is received by the court at least 14 days before the date of the hearing.

## What if I cannot afford the fee?

If you have little or no savings, are on certain benefits or have a low income, you might be able to get help with your court fee (also known as fee remission).

For further information, or to apply for help with fees, you can visit [gov.uk/get-help-with-court-fees](http://gov.uk/get-help-with-court-fees). If you do not have access to the internet, you will be able to get a paper form (**EX160 – Apply for help with fees**) from court staff at any family court office.

## Completing the form

### Question 3

Set out what order you are applying for and why e.g. to adjourn the hearing because..., to apply for an extension of time to comply with directions because... etc.

### Question 5

Most applications will require a hearing and you will be expected to attend. The court will allocate a hearing date and time for the application. Please indicate in a covering letter any dates that you are unavailable within the next six weeks.

The court will only deal with the application without a hearing in the following circumstances.

- Where all the parties agree to the terms of the order being asked for;
- Where all the parties agree that the court should deal with the application without a hearing, or
- Where the court does not consider that a hearing would be appropriate.

Not all applications will be suitable for a telephone hearing and the court may refuse your request.

### Question 6

If you do not know how long the hearing will take, do not guess but leave these boxes blank.

### Question 7

If your case has already been allocated a hearing date or trial period, please insert details of those dates in the box.

### Questions 8 and 8a

Please indicate in the box provided who you want the court to send a copy of the application to and their address for service.

### Question 9

In this section please set out the information you want the court to take account of in support of the application you are making.

If you wish to rely on:

- **a witness statement**, tick the first box and attach the statement to the application notice.
- **written evidence** on this form, tick the second box and enter details in the space provided. You must also complete the statement of truth.
- It is important you check the information contained in the notice is correct before signing. It is a contempt of court to sign a false statement of truth without an honest belief in its truth for which you can be fined, have your assets seized or be sentenced to a term of imprisonment.

### Question 10

The application must be signed and include your current address and contact details. If you agree that the court and the other parties may communicate with you by Document Exchange, telephone, facsimile or email, complete the details

## Before returning your form to the court

Check that you have:

- signed the form on page 2, (unsigned forms may be returned and cause delay in dealing with your application)
- enclosed the correct fee or an application for help with fees,
- made sufficient copies of your application and supporting documentation. You will need to submit one copy for each party to be served and one copy for the court.

**Completed forms should be returned to the Family Division Appeals Office, Floor 1M, Queen's Building, Royal Courts of Justice, Strand, London WC2A 2LL**

**DX 44450 Strand**

**Phone: 020 7947 7192**

**Email: [appeals.familydivision@hmcts.gsi.gov.uk](mailto:appeals.familydivision@hmcts.gsi.gov.uk)**