

Form E2

(Financial statement for a variation of an order for a financial remedy, other than for variation to capitalise an order for periodical payments)

Notes for guidance

About these notes

- They tell you when you should use Form E2
- They explain some of the terms used in Form E2 that may be unfamiliar to you.
- The most important notes are in **bold**. Please do not ignore them.
- There is also a checklist in Form E2 to tell you which documents you will need to attach to the form.

These notes are only a guide. If you need more help you should speak to a solicitor, citizens advice bureau, legal advice centre or law centre. You may be able to get free legal advice. For more information, go online at www.gov.uk/legal-aid.

Please note, while court staff will help on procedural matters, they cannot offer any legal advice.

Introduction

You and your (former) spouse or civil partner **must** each fill out separate Form E2s.

You should only complete Form E2s if you or your (former) spouse or civil partner has made an application for a variation of an order for a financial remedy, other than for variation to capitalise an order for periodical payments. This means you should use Form E2 if you or your (former) spouse or civil partner is applying to vary a financial remedy order, **but you should not** use Form E2 if you are applying for the variation of an order for periodical payments where the applicant seeks the dismissal (immediate or otherwise) of the periodical payments order and its substitution with one or more of a lump sum order, a property adjustment order, a pension sharing order or a pension compensation sharing order (which is sometimes known as ‘capitalising’). For such ‘capitalising’ applications, you should complete Form E.

The purpose of Form E2 is to help you to provide the court with details of your financial arrangements.

You must send your filled-in Form E2 to the court and simultaneously exchange a copy with the other person, no more than 21 days after the date of the issue of the application.

The court might make an order for costs against you if you do not follow the deadlines for filing Form E2.

If you and the other person have agreed about the financial matters relating to the application there is no need for either of you to fill in a Form E2. You should hand your agreement (sometimes known as a consent application) to the court before the first hearing.

You should make sure that you attach any documents relevant to this application to Form E2.

Section 2 (dependants): You need to supply details of the amount of maintenance you pay for children not living with you. This includes any Child Support Agency/Child Maintenance Service assessments, financial agreements or court orders concerning maintenance for your children

Section 3 (previous order): you should give details of what part of the previous order made you seek to vary and what sort of changes you seek.

Section 13 (orders sought): You may want to seek legal advice to answer this question.

Statement of Truth of the information you have provided in Form E2 is true

This section must be completed. You have to confirm that the information you have provided is a full, frank, clear and accurate disclosure of your financial and other relevant circumstances.

Schedule of documents to accompany Form E2

Now that you have completed Form E2 please make sure that copies of the items listed in the checklist, relevant to your application, are attached.

You should not attach original documents but keep them available for inspection by the other party and the court.

If you are unable to attach any copy documents to Form E2 when you file it you must add a short note to Form E2 explaining why you were unable to attach the copy document.

Please note – any copy documents that you wish to attach to Form E2 will need to be verified as an exhibit or attachment to Form E2.