Family law in England and Wales

How the work of Whitcombe Ashby Family Law LLP proceeds, and where the Virtual Legal Assistant fits

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Introduction

Family law in England and Wales is administered principally through the Family Court under the Family Procedure Rules 2010 ("FPR") and the associated Practice Directions. England and Wales is therefore the relevant jurisdiction for this assignment and for the practice of Whitcombe Ashby Family Law LLP.

The firm's practice comprises five principal areas of work: divorce and dissolution, financial remedies, child arrangements, nuptial agreements and cross-border matters. Each area is considered below by reference to the way a matter is opened, progressed and concluded, followed by the work that may appropriately be undertaken by a Virtual Legal Assistant under the supervision of the solicitor.

The principal legal authorities are legislation, the Family Procedure Rules and Practice Directions. These are supplemented by current HM Courts and Tribunals Service ("HMCTS"), Ministry of Justice and GOV.UK guidance. Current forms, court guidance and orders should always be checked before action is taken because procedural requirements and court arrangements may change.

How Each Category of Work Proceeds

Divorce and Dissolution

Under the Matrimonial Causes Act 1973, as amended by the Divorce, Dissolution and Separation Act 2020, the sole ground for divorce is that the marriage has broken down irretrievably. The applicant is therefore no longer required to allege or prove the other spouse's conduct. An application may be made by one spouse as a sole application or by both spouses as a joint application. A divorce application cannot ordinarily be made until the parties have been married for at least one year.

For applications issued on or after 6 April 2022, the procedure is governed principally by Part 7 of the FPR. An application may be made online by a litigant in person, while solicitors can apply online or manage a case through a MyHMCTS account. Once the application has been issued, it must be served on the respondent in accordance with the applicable service provisions. The application is accompanied by the appropriate acknowledgement of service and notice of proceedings.

The respondent must normally file an acknowledgement of service within 14 days beginning with the date of service. If the respondent intends to dispute the proceedings, further procedural requirements apply, including the filing of an answer within the period prescribed by rule 7.7.

For a standard divorce application issued on or after 6 April 2022, an application for a conditional order cannot be made until 20 weeks have elapsed from the date of issue and the relevant response periods have expired. The 20-week period is intended to provide a period for reflection and to allow the parties to consider arrangements concerning their finances and children.

The conditional order replaced the former decree nisi. It confirms that the court is satisfied that the applicant is entitled to a divorce, but it does not itself dissolve the marriage.

After the conditional order has been made, the applicant must wait at least 43 days, equivalent to six weeks and one day, before applying for the final order. The final order replaced the former decree absolute and is the order that legally dissolves the marriage.

The application for the conditional order and the application for the final order should be made using the current HMCTS procedure and forms applicable to the particular case. The firm should therefore check the current online process rather than assuming that a particular paper form is required in every case.

Where more than 12 months have elapsed since the conditional order, the applicant must provide an explanation for the delay when applying for the final order.

Although a final order legally ends the marriage, the solicitor should consider carefully whether the client should apply for it before financial matters have been resolved. Divorce and financial claims are related but distinct matters, and the timing of the final order can have consequences in relation to pensions, inheritance and other financial issues. The decision to delay the final order is therefore a matter of case-specific legal advice and strategy rather than an absolute requirement that financial proceedings must always be concluded first.

The divorce matter may be closed administratively once the final order has been made and the client has received confirmation of the outcome, subject to any continuing financial or children's proceedings.

Financial Remedies

Financial remedy proceedings deal with the financial consequences of divorce, dissolution or judicial separation. The court may make orders including periodical payments, lump sums, property adjustment orders, pension sharing orders and pension attachment orders. The principal statutory framework is contained in the Matrimonial Causes Act 1973, particularly sections 23, 24, 24A, 24B and 25. The procedure is governed principally by Part 9 of the FPR and Practice Direction 9A.

Before starting relevant financial remedy proceedings, the applicant is generally required to attend a Mediation Information and Assessment Meeting ("MIAM") unless a valid exemption applies. The MIAM requirement and the relevant information are incorporated into the current application process. It is therefore incorrect to treat Form FM1 as the standard form accompanying every Form A application.

The parties are also expected to consider non-court dispute resolution ("NCDR"). The financial remedy pre-application protocol encourages parties to attempt appropriate NCDR and, where court proceedings are issued, Form FM5 is used to set out the parties' views on NCDR. Form FM5 should generally be filed and served at least seven working days before the first hearing or as directed by the court. Failure to engage appropriately with NCDR may be relevant to case management and costs.

A financial remedy application is commenced using Form A. Once issued, the court gives directions and normally lists a First Appointment in a standard financial remedy case. The precise listing period varies between courts and cases and should therefore be taken from the actual notice or order rather than assumed.

Each party normally files and exchanges Form E, together with the required supporting financial documentation, not less than 35 days before the First Appointment. Form E provides detailed financial disclosure and must be verified by a statement of truth.

Before the First Appointment, the parties are required to comply with the applicable procedural timetable concerning the questionnaire, chronology, statement of issues and Form G. The parties may also be required to exchange or file other information required by the rules, Practice Direction 9A or the court's directions. Costs information is dealt with under rule 9.27 and the applicable Practice Direction. In particular, costs estimates are generally filed and served not less than one day before the relevant hearing or appointment, with additional requirements concerning future costs and final-hearing costs.

At the First Appointment, the court identifies the issues and gives directions for further disclosure, valuation, expert evidence and other steps required to prepare the case. Where appropriate, the First Appointment may be treated as an FDR appointment if the parties and court consider that suitable.

If the case remains unresolved, it may proceed to a Financial Dispute Resolution ("FDR") appointment. The purpose of an FDR is to assist the parties to reach settlement. The FDR judge may give an indication of the likely outcome, but the FDR is not a final determination of the dispute and the judge who conducts the FDR will not ordinarily conduct the contested final hearing.

The parties must comply with the applicable requirements concerning offers and proposals before the FDR. The solicitor must ensure that the relevant material is filed and served within the prescribed period.

If settlement is not achieved at the FDR, the case proceeds under further directions towards a final hearing. Where an FDR has taken place and no settlement has been reached, rule 9.27A generally requires each party to make an open proposal for settlement within 21 days, unless the court directs otherwise.

At the final hearing, the court determines the financial claims by applying the statutory framework. Section 25 of the Matrimonial Causes Act 1973 requires the court to have regard to all the circumstances of the case, giving first consideration to the welfare of any minor child of the family, and identifies the matters to which the court must have particular regard.

Where the parties reach agreement, the terms are recorded in a draft consent order and submitted to the court for approval. Form D81 provides information concerning the parties' financial circumstances to assist the court in determining whether the proposed order is appropriate.

The solicitor must consider the timing and legal effect of the particular financial orders being sought. This is particularly important for pension sharing orders, which have specific statutory requirements concerning when they take effect. It is therefore preferable not to state that every financial order automatically takes effect only upon the making of the final divorce order.

Child Arrangements

Private law children's proceedings are principally governed by the Children Act 1989 and the Family Procedure Rules. Under section 8 of the Children Act 1989, an applicant may seek a child arrangements order, specific issue order or prohibited steps order.

The principal application is made using Form C100. The applicant must normally attend a MIAM unless an exemption applies. The C100 contains the relevant information concerning MIAM attendance or the exemption relied upon. Form FM1 should not be treated as the standard document accompanying an ordinary C100 application.

Where domestic abuse or other allegations of harm are raised, the applicant may file Form C1A. The case may then be managed under Practice Direction 12J, which contains specific provisions concerning cases in which domestic abuse is alleged or where there are concerns about harm.

Following issue, the court carries out its gatekeeping process. The court normally sends the C100, any C1A and the notice of hearing to Cafcass or CAFCASS Cymru within the prescribed period. Cafcass carries out safeguarding enquiries and prepares a safeguarding letter or report for the court. Under the Child Arrangements Programme, the safeguarding report is normally provided within 17 working days of receipt of the application, or 20 working days in the area covered by CAFCASS Cymru, and at least three working days before the hearing.

The respondent is normally provided with Form C7 and must return it to the court within 14 days after receiving the application, unless the court specifies a shorter period.

The First Hearing Dispute Resolution Appointment ("FHDRA") should ordinarily take place in week five following issue and, at the latest, in week six, although an earlier hearing may occur where service has been abridged. The respondent should ordinarily have at least 14 days' notice of the hearing where practicable, although the court may specify a shorter period.

At the FHDRA, the court considers the safeguarding information, identifies the issues and seeks to assist the parties to resolve some or all of the dispute where it is safe and appropriate to do so. If agreement cannot be reached, the court gives directions for the future conduct of the case.

Depending on the issues, directions may include further safeguarding work, a report under section 7 of the Children Act 1989, statements, expert evidence, a fact-finding hearing or a further dispute resolution hearing. Practice Direction 12J applies where domestic abuse allegations require determination. Practice Direction 27A governs the preparation of court bundles where a bundle is required.

At every stage, the court must have the child's welfare as its paramount consideration when determining an application concerning the child's upbringing. The court must also consider whether making an order would be better for the child than making no order at all.

The case may conclude with a child arrangements order or another order disposing of the application.

Nuptial Agreements

Pre-nuptial and post-nuptial agreements concern the financial consequences of marriage and possible divorce. They do not ordinarily require filing with the Family Court merely because they have been entered into.

The firm's work will generally begin with taking the clients' instructions and identifying the proposed scope of the agreement. The solicitor will consider the parties' financial circumstances, obtain appropriate financial disclosure, identify the assets and liabilities to be addressed and negotiate and draft the agreement.

Each party should receive independent legal advice. The agreement should be entered into freely and with sufficient understanding of its nature and implications. Appropriate financial disclosure should be provided, and the agreement should be properly executed.

A nuptial agreement is not automatically binding in England and Wales. The leading authority is *Radmacher v Granatino* [2010] UKSC 42. The Supreme Court held that the court should give effect to a nuptial agreement that has been freely entered into by parties who understand its implications unless, in the circumstances prevailing at the time of divorce, it would not be fair to hold the parties to the agreement.

It is established good practice for a pre-nuptial agreement to be entered into sufficiently in advance of the wedding. A period of at least 28 days is commonly recommended. This is a matter of good practice under the present law and should not be described as an existing statutory requirement.

The Government consulted in 2026 on the introduction of qualifying nuptial agreements that could provide greater certainty and binding effect subject to statutory safeguards. The consultation entitled "A fairer end to relationships" ran from 5 June to 14 August 2026. The proposal has not been enacted and therefore does not alter the current law. (GOV.UK consultation)

Cross-Border Matters

Cross-border family matters require particular care because jurisdiction, recognition and enforcement may involve more than one legal system.

An overseas marriage may be recognised in England and Wales where the applicable requirements for recognition are satisfied. Whether a particular foreign marriage is recognised is a fact-specific question and may require consideration of the law of the place of celebration, the parties' capacity to marry and the applicable English rules concerning recognition. The marriage certificate and, where necessary, a certified translation or evidence of foreign law may be required.

For divorce proceedings, section 5 of the Domicile and Matrimonial Proceedings Act 1973 provides the principal statutory jurisdictional rules for divorce and judicial separation in England and Wales. The court has jurisdiction for divorce where either party

is domiciled in England and Wales on the date on which proceedings are begun or was habitually resident in England and Wales throughout the period of one year ending with that date. The precise jurisdictional position must be checked against the facts of the case.

Where matrimonial proceedings are also taking place in another jurisdiction, the solicitor must consider the rules concerning concurrent proceedings and any application to stay the English proceedings. The existence of foreign proceedings may therefore affect the conduct of the English case.

Recognition of an overseas divorce is governed principally by Part II of the Family Law Act 1986, subject to the statutory conditions and exceptions. Section 46 sets out circumstances in which an overseas divorce obtained by means of proceedings may be recognised in England and Wales.

Where recognition of an overseas divorce is uncertain or disputed, section 55 of the Family Law Act 1986 provides for applications for declarations concerning recognition, subject to the jurisdictional requirements of the Act.

Financial relief following an overseas divorce may in appropriate circumstances be sought under Part III of the Matrimonial and Family Proceedings Act 1984. Such an application is subject to specific statutory requirements and, where applicable, the court's permission.

International children matters require particular care. Section 13 of the Children Act 1989 imposes restrictions on the removal of a child from the United Kingdom where a relevant child arrangements order is in force. Where the section applies, removal generally requires the written consent of every person with parental responsibility or the leave of the court. There is a statutory exception permitting the person named in the order as the person with whom the child is to live to remove the child from the United Kingdom for a period of less than one month. The section should therefore not be reduced to a general statement that every child arrangements order automatically prohibits removal.

A proposed permanent relocation outside the United Kingdom requires careful consideration of the existing orders, parental responsibility, the child's welfare and the appropriate application. A specific issue order under section 8 may be relevant, but the solicitor must determine the appropriate procedure on the facts.

Unauthorised removal may also engage the law relating to child abduction.

The Virtual Legal Assistant may assist with collecting documents, organising translations, preparing factual chronologies and carrying out research requested by the solicitor. The assistant should not independently determine jurisdiction, advise on foreign law or decide the strategy for international relocation.

Time Limits and Procedural Timetables

It is important to distinguish mandatory procedural deadlines from indicative court timetables. A deadline contained in a court order or notice must always take precedence over a general timetable.

Divorce

The respondent must normally file an acknowledgement of service within 14 days beginning with the date on which the application was served.

An application for a conditional order cannot normally be made until 20 weeks have elapsed from the date on which the divorce application was issued and the relevant response requirements have been satisfied.

The applicant must wait at least 43 days, equivalent to six weeks and one day, after the conditional order before applying for the final order.

Where more than 12 months have elapsed since the conditional order, the applicant must provide an explanation for the delay when applying for the final order.

Financial Remedies

Form E must normally be filed and exchanged not less than 35 days before the First Appointment. The questionnaire, chronology, statement of issues and Form G are subject to the applicable procedural timetable and court directions.

Details of offers, proposals and responses required for an FDR must be filed within the period prescribed by the FPR and applicable directions, normally at least seven days before the FDR.

Where an FDR has taken place without settlement and no further FDR is directed, open proposals for settlement are normally filed and served within 21 days of the FDR, unless the court directs otherwise.

Form FM5 is generally filed and served at least seven working days before the first hearing or as directed by the court.

Costs estimates are generally filed and served not less than one day before a hearing or appointment, subject to the further requirements of rule 9.27 concerning future costs and final hearings.

Child Arrangements

The C100 must contain the required MIAM information or identify the applicable exemption. The respondent's C7 response is normally due within 14 days after receiving the application unless the court specifies a shorter period.

The FHDRA should ordinarily take place in week five and, at the latest, week six following issue, subject to the circumstances of the case and the court's directions.

Cafcass normally provides its safeguarding letter or report within 17 working days of receiving the application, or 20 working days in the area covered by CAFCASS Cymru.

Any later deadline for statements, evidence, bundles or position statements should be taken from the actual court order. A standard timetable should not be substituted for the court's directions.

Nuptial Agreements

There is no general statutory requirement that a pre-nuptial agreement be executed exactly 28 days before the wedding. However, allowing at least 28 days is established good practice and is an important safeguard concerning timing and informed consent.

Cross-Border Matters

Cross-border matters do not have one general timetable. The applicable deadline depends upon the particular application, the relevant legislation, the rules concerning service and the court's directions.

Limitation and the Remarriage Trap

There is no single limitation period applicable to all of the family proceedings considered in this assignment. Different statutory and procedural provisions impose different deadlines and restrictions.

Section 28(3) of the Matrimonial Causes Act 1973 contains an important restriction commonly referred to as the remarriage trap. A person who has remarried after the dissolution of an earlier marriage is restricted from subsequently applying, by reference to that earlier marriage, for certain financial provision or property adjustment orders.

The position concerning pension rights should be considered separately under the statutory pension-sharing provisions. The solicitor should therefore identify unresolved financial claims before advising a client who intends to remarry.

The Virtual Legal Assistant's Role

The Virtual Legal Assistant works as part of the legal team under the supervision of the responsible solicitor. The role is principally administrative, organisational and preparatory.

Not every task carried out on a litigation file is itself a reserved legal activity. The important distinction is between administrative and preparatory assistance, on the one hand, and the exercise of professional legal judgment or the performance of a reserved legal activity, on the other.

The supervising solicitor remains responsible for legal advice, professional judgment, substantive strategy and any legal work requiring professional authority.

What the Virtual Legal Assistant Can Own

The Virtual Legal Assistant can manage the administrative aspects of client intake, including maintaining the enquiry log, collecting information required for conflict checks, obtaining identification and anti-money laundering documentation, opening the electronic file and preparing the client care documentation for solicitor review.

The assistant can maintain the matter diary and calculate procedural dates from the relevant court documents. This may include the acknowledgement of service deadline, the 20-week conditional order date, the 43-day final order date, Form E deadlines, hearing dates, FDR deadlines, FM5 deadlines and deadlines contained in sealed court orders.

The assistant can contact clients for documents requested by the solicitor, including marriage certificates, financial statements, bank statements, pension information, property documents, tax records and certified translations. The assistant can maintain disclosure checklists and identify documents that remain outstanding.

The assistant can prepare first drafts for solicitor review, including information entered into divorce applications, Form A, Form E, C100, C1A and Form D81, provided that the assistant does not independently make substantive legal decisions about the contents.

The assistant can prepare and maintain bundles in accordance with the applicable Practice Direction, including pagination, indexing and document checking. The assistant can also prepare documents for transmission to the court, counsel's clerk or another party where authorised.

The assistant can arrange MIAM appointments, maintain correspondence logs, monitor Cafcass communications, record hearing dates and maintain procedural chronologies.

The assistant can carry out legal research at the solicitor's direction and prepare research notes identifying the relevant legislation, cases, rules, Practice Directions and official guidance.

What Requires the Solicitor's Judgment or Authority

The solicitor must retain responsibility for legal advice and professional judgment.

This includes advising on jurisdiction, the client's legal rights, financial settlement, section 25 factors, the effect of a nuptial agreement, the merits of a settlement proposal, safeguarding, domestic abuse, foreign law and international relocation.

The Virtual Legal Assistant should not independently advise a client about the law, recommend a settlement, assess the strength of a case, determine whether an exemption from the MIAM requirement applies, decide whether an offer should be made, give an undertaking or determine litigation strategy.

The assistant may obtain and record factual instructions from a client. That is different from giving legal advice or exercising substantive legal judgment on those instructions.

The solicitor should review and approve any document containing legal advice, substantive legal submissions, an undertaking, a statement of truth or a position that commits the client or the firm.

The assistant should not conduct advocacy or speak on behalf of the firm at a hearing. Any task that amounts to conducting litigation or otherwise falls within a reserved legal activity must be undertaken only by a person authorised to do so and in accordance with the firm's procedures and the Legal Services Act 2007.

Electronic filing through MyHMCTS should be undertaken only where the relevant HMCTS system permits the assistant to do so and the firm has authorised the assistant to perform that function. Access to a solicitor's account should not be assumed merely because the solicitor has given permission.

Fifteen Terms

1. Conditional Order

The conditional order is the order made in divorce proceedings when the court is satisfied that the applicant is entitled to a divorce. It replaced the former decree nisi. It does not itself dissolve the marriage.

Where I would meet it: During the divorce process, after the 20-week period.

2. Final Order

The final order is the order that legally dissolves the marriage. It replaced the former decree absolute. The applicant normally cannot apply for it until at least 43 days have passed from the conditional order.

Where I would meet it: At the conclusion of the divorce process.

3. Acknowledgement of Service

The acknowledgement of service is the respondent's formal response confirming receipt of the divorce application and indicating whether the proceedings are disputed. It is normally due within 14 days beginning with the date of service.

Where I would meet it: At the beginning of a divorce matter.

4. MIAM

A Mediation Information and Assessment Meeting is a meeting with an authorised family mediator at which the parties consider whether mediation or another form of non-court dispute resolution may assist in resolving the dispute. Attendance is required before relevant private law children or financial remedy proceedings unless an exemption applies.

Where I would meet it: Before a relevant Form A or C100 application.

5. Financial Remedy

A financial remedy is an order dealing with the financial consequences of divorce, dissolution or judicial separation. Remedies may include periodical payments, lump sums, property adjustment and pension orders.

Where I would meet it: Throughout a financial remedy case.

6. Form E

Form E is the financial statement used for financial disclosure in standard financial remedy proceedings. It contains detailed information about the parties' financial circumstances and is verified by a statement of truth.

Where I would meet it: During the financial disclosure stage.

7. First Appointment

The First Appointment is the first substantive hearing in a standard financial remedy case. The court uses it to identify issues and give directions concerning disclosure, valuation, expert evidence and the future conduct of the proceedings.

Where I would meet it: After Form A has been issued and financial disclosure has commenced.

8. Financial Dispute Resolution Appointment

The FDR is a hearing intended to assist the parties to settle their financial dispute. The judge may give an indication of the likely outcome. The FDR judge will not ordinarily conduct the contested final hearing.

Where I would meet it: After the First Appointment.

9. Consent Order and Form D81

A consent order records financial terms agreed between the parties and is submitted to the court for approval. Form D81 provides information about the parties' financial circumstances to assist the court in deciding whether the proposed order is appropriate.

Where I would meet it: When a financial dispute has been settled.

10. Clean Break

A clean break is an order intended to terminate continuing financial obligations and future financial claims between former spouses where the court considers such an order appropriate. Section 25A of the Matrimonial Causes Act 1973 requires the court, where applicable, to consider whether the parties' financial obligations should be terminated.

Where I would meet it: When preparing or reviewing the financial terms of a consent order or final financial order.

11. CETV and Pension Sharing Order

A CETV is the cash equivalent transfer value used in assessing the value of pension rights for financial remedy purposes. A pension sharing order provides for a specified percentage of a party's shareable pension rights to be transferred for the benefit of the other party.

Where I would meet it: During financial disclosure and when preparing pension-related documents.

12. Child Arrangements Order

A child arrangements order is an order under section 8 of the Children Act 1989 regulating the arrangements concerning with whom a child is to live, spend time or otherwise have contact.

Where I would meet it: In private law children’s proceedings.

13. Cafcass and FHDRA

Cafcass is the Children and Family Court Advisory and Support Service. In private law children’s proceedings, it undertakes safeguarding work and provides information to the court. The FHDRA is the First Hearing Dispute Resolution Appointment, ordinarily listed around week five and no later than week six following issue.

Where I would meet it: During the early stages of a C100 application.

14. Parental Responsibility and Leave to Remove

Parental responsibility is defined by section 3(1) of the Children Act 1989 as all the rights, duties, powers, responsibilities and authority which by law a parent has in relation to a child and the child's property.

Leave to remove is the court's permission to remove a child from the United Kingdom where such permission is required. Section 13 of the Children Act 1989 imposes restrictions on removal in circumstances where the relevant child arrangements order is in force.

Where I would meet it: In relocation and international children matters.

15. Qualifying Nuptial Agreement

A qualifying nuptial agreement is a proposed statutory category of pre-nuptial or post-nuptial agreement discussed in the Government's 2026 consultation on reform of the law concerning financial arrangements on divorce. The proposal would provide greater certainty and binding effect subject to specified safeguards. It is currently a proposal and is not part of the law of England and Wales.

Where I would meet it: In nuptial agreement files when considering the proposed reform and, if enacted in future, when applying the new statutory regime.

Open Points and Working Practice

Three matters should be confirmed against the firm's current procedures before the Virtual Legal Assistant acts.

First, the exact electronic filing route for a particular children application should be checked against the current HMCTS arrangements. The current C100 procedure should be followed rather than relying on a general assumption about online filing.

Second, whether support staff may submit documents through a solicitor's MyHMCTS account should not be assumed. The firm should confirm the current HMCTS access arrangements and ensure that any use of the system complies with both HMCTS requirements and the firm's internal authorisation procedures.

Third, hearing dates and listing practices may vary between courts. A standard timetable should therefore be treated as guidance only. The actual notice of hearing and sealed court order should be used when diarising a case.

Court fees have not been included because they may change. The current HMCTS fee and any applicable fee exemption or remission should be checked before an application is issued.

The practical rule for the Virtual Legal Assistant is that no deadline should be calculated from memory where the actual court document is available. The sealed order, notice of hearing, current form, applicable rule or Practice Direction should be used as the source for the diary entry.

Conclusion

The work of a family law firm combines substantive legal judgment, procedural compliance, client management, document management and strict deadline control. The Virtual Legal Assistant can make a significant contribution to the efficient running of the practice by managing the administrative and preparatory aspects of a matter while ensuring that substantive legal decisions remain with the supervising solicitor.

In divorce matters, the assistant can monitor the progression from application to acknowledgement of service, conditional order and final order. In financial remedy matters, the assistant can manage disclosure requests, financial documentation, procedural deadlines and hearing preparation. In children matters, the assistant can coordinate documents, Cafcass correspondence, safeguarding information and hearing preparation. In nuptial agreement matters, the assistant can manage disclosure and document administration. In cross-border matters, the assistant can organise foreign documents, translations, factual chronologies and research materials while referring jurisdictional and foreign-law questions to the solicitor.

The supervising solicitor remains responsible for legal advice, professional judgment, litigation strategy, advocacy and decisions affecting the client's substantive rights. The most valuable contribution of the Virtual Legal Assistant is therefore to ensure that the solicitor has an accurate, organised, properly diarised and well-documented file on which to exercise that professional judgment.

Principal Authorities and Sources

Legislation

- Matrimonial Causes Act 1973.
- Divorce, Dissolution and Separation Act 2020.
- Children Act 1989.
- Domicile and Matrimonial Proceedings Act 1973.
- Family Law Act 1986.
- Matrimonial and Family Proceedings Act 1984.
- Legal Services Act 2007.

Rules and Practice Directions

- Family Procedure Rules 2010, particularly Parts 3, 7 and 9.
- Practice Direction 9A: Application for a Financial Remedy.
- Practice Direction 12B: Child Arrangements Programme.
- Practice Direction 12J: Child Arrangements and Contact Orders: Domestic Abuse and Harm.
- Practice Direction 27A: Family Proceedings: Court Bundles.
- Relevant Practice Directions concerning electronic filing and financial remedy proceedings.

Official Guidance

- HM Courts and Tribunals Service, current divorce guidance and forms.
- HM Courts and Tribunals Service, current Form A and Form D81 guidance.

- HM Courts and Tribunals Service, current Form C100 and C7 guidance.
- Ministry of Justice, Child Arrangements Programme.
- Ministry of Justice, “A fairer end to relationships” consultation, 5 June to 14 August 2026.

Case Law

- *Radmacher v Granatino* [2010] UKSC 42.