

This Practice Direction is made by the President of the Family Division under the powers delegated to him by the Lord Chief Justice under Schedule 2, Part 1, paragraph 2(2) of the Constitutional Reform Act 2005, and is approved by the Parliamentary Under Secretary of State, by authority of the Lord Chancellor and comes into force on xxx 2012

PRACTICE DIRECTION 25F - ASSESSORS IN FAMILY PROCEEDINGS

This Practice Direction supplements FPR Part 25

Scope of this Practice Direction

1.1 This Practice Direction applies to the appointment of assessors in family proceedings in England and Wales.

Appointment of assessors in family proceedings

2.1 The power to appoint one or more assessors to assist the court is conferred on the High Court by section 70(1) of the Senior Courts Act 1981, and on a county court by section 63(1) of the County Courts Act 1984. In practice, these powers have been used in appeals from a district judge or costs judge in costs assessment proceedings – although, in principle, the statutory powers permit one or more assessors to be appointed in any family proceedings where the High Court or a county court sees fit.

2.2 Not less than 21 days before making any such appointment, the court will notify each party in writing of the name of the proposed assessor, of the matter in respect of which the assistance of the assessor will be sought and of the qualifications of the assessor to give that assistance.

2.3 Any party may object to the proposed appointment, either personally or in respect of the proposed assessor's qualifications.

2.4 Any such objection must be made in writing and filed and served **within 7 business days of receipt of the notification from the court of the proposed appointment**, and will be taken into account by the court in deciding whether or not to make the appointment.

(paragraphs 10.1 to 10.4 of PD25A)

The Right Honourable

Sir Nicholas Wall

The President of the Family Division

Signed by authority of the Lord Chancellor:

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Parliamentary Under Secretary of State
Ministry of Justice