

Legal Roundup - December 2022

Time periods for applicant to live with a child to be able to apply to adopt

Section 42 of the Adoption and Children Act 2002 sets out the time periods during which an applicant must live with the child before an application for adoption can be made. A relative making an adoption application must live with the child for three years before the application can be made unless the court grants permission to make it before three years. The child is an automatic party in cases where the potential adopter is a relative.

Compliance with Orders

Whilst the Court can be asked to consider changing the terms of an order (for example to grant more time to file a report) *unless and until* the order is varied by the court, the original terms need to be complied with to avoid the risk of costs being ordered against Cafcass and/or criticism from the Court.

Addressing Judges

From 2 December 2022, District Judges and Deputy Judges should no longer be addressed as 'Sir/Madam' but instead 'Judge'.

The terms of address for more senior judges remain unchanged.

Legal Alerts from this month

[Findings in care proceedings should be limited to those necessary for the Court to determine what final Order to make](#) *Birmingham City Council v Mother and Others* [2022] EWHC 2506 (fam)