

Other leaflets in the series:-

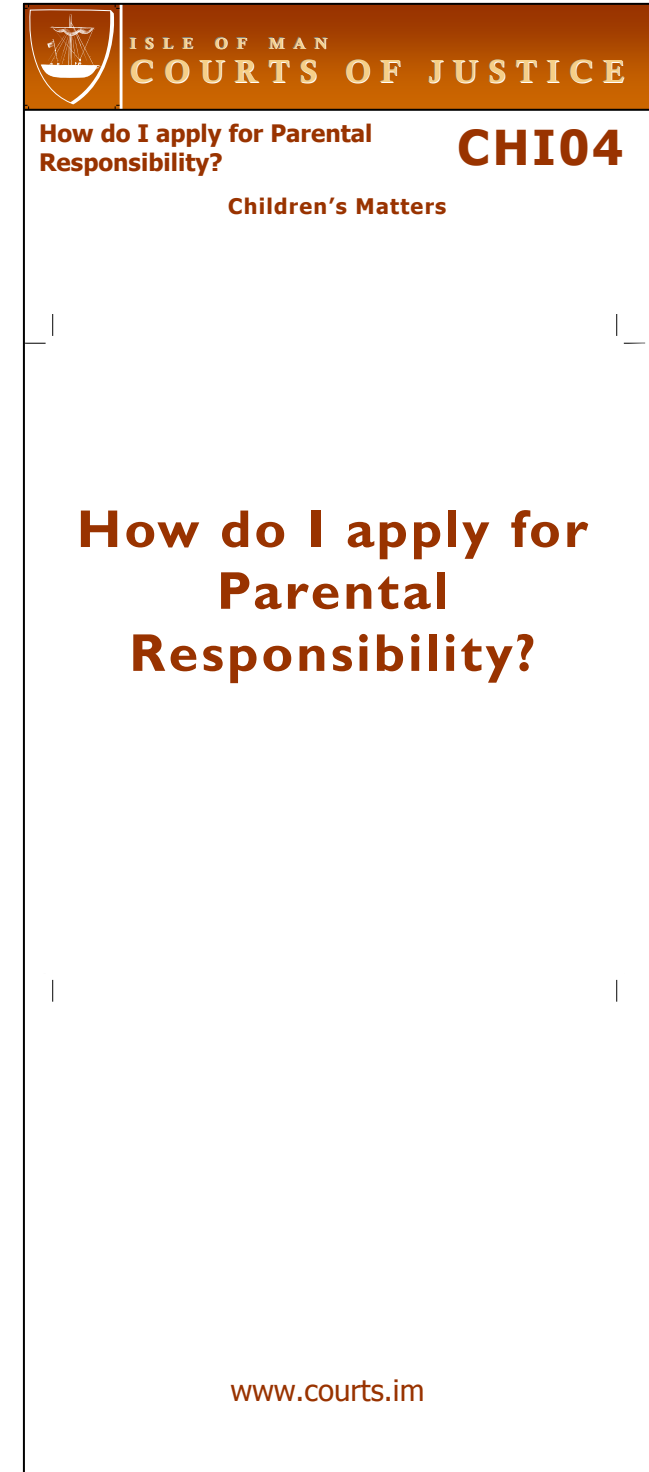
CHI01—What the court expects from parents considering asking for a court order

CHI02—Court Orders regarding children

CHI03—How do I apply for a court order in a children's matter?

CHI04—How do I apply for Parental Responsibility?

CHI05—Children's matters—directions appointments and hearings



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Parental responsibility means:

- the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property; and
- it includes the rights, powers and duties which a guardian of the child's estate would have in relation to the child and his property.

The mother and father of a child who is a marital child each have parental responsibility for the child. If the child is not a marital child, then only the mother of the child has parental responsibility.

It is possible for more than one person to have parental responsibility. Any person who has parental responsibility for a child cannot act against any order made by the court.

The fact that a person may or may not have parental responsibility does not affect:

- any obligation to pay maintenance or any other duty in relation to the child; or
- any rights in relation to the child's property upon their death.

Parental responsibility by agreement.

A parental responsibility agreement is a legal document in which a child's mother and father agree that the father has parental responsibility for the child, or in which a child's mother and father (if he already has parental responsibility) agree that a child's step parent has parental responsibility for the child.

To make a parental responsibility agreement, you need to obtain a **Form PRA1 – Parental Responsibility Agreement**. This form will come with guidance notes to help you fill it out. The form can also be obtained by calling into the public counter at the Isle of Man Courts of Justice.

How do I apply for parental responsibility?

You need the C1 and C1A forms. These can also be obtained by calling into to the Court Office/public counter at the Isle of Man Courts of Justice or for download at www.courts.im.

Who is/are the respondent(s)?

You will have to tell people that you have made an application; these people are the respondents and the other people to be notified. These might include the child's parents/guardians or someone who is looking after the child.

How much does it cost?

You should contact the court before you put in your application and they will advise how much you need to pay. You can pay by cash or card at the public counter or if you are submitting an application by post you can pay by cheque. All cheques must be made payable to the Isle of Man Government.

Do I need an advocate or can I apply for an order myself

You can apply yourself and represent yourself in court but, if there are any parts of the application/court hearing that you do not understand, please remember that the court can not give any legal advice and always advise you to seek legal advice before putting in an application or you may contact the Citizens Advice Bureau.

I would like an advocate but can not afford it

You may be entitled to legal aid. You should contact an advocate's office and they will advise if you are eligible for legal aid.

Please note that the court staff cannot help you to decide what to put on the forms, or give you any advice about your case. The court will always recommend if you are unsure of the relevant Acts/Rules which relate to applications, or have queries regarding the contents of applications you should seek legal advice and/or contact a Manx advocate. The names of Manx advocates who are Family Law practitioners may be obtained from the Isle of Man Law Society.