

Resolution Specialist Accreditation

Advocacy (Private Law Children) Portfolio Competence Unit - Lawyers

This unit focusses on the specialist knowledge, understanding and application in practice required to provide advice, representation and advocacy in relation to private law children proceedings.

PLEASE NOTE: If you are taking either of the Advocacy portfolio assignments, you will be required to record your submissions.

Competency Code	Knowledge and Understanding Candidates must know and understand:
SAAPLC01	Resolution Code of Practice and other relevant protocols (e.g. The Law Society Family Law Protocol, the Remote Access Family Court and any associated protocols), the SRA Competence Statement and over-arching Standards Framework, Family and Civil Procedure Rules. Resolution's Guides to Good Practice and Precedents.
SAAPLC02	The legislation, case law and regulations relating to private law affecting children.
SAAPLC03	The relevant part/s of the Children Act, the Children and Families Act 2014 and the Family Procedure Rules 2010 (including PD 12B CAP, changes to Pt. 3 and 3A, gatekeeping and timetabling procedures).
SAAPLC04	Leading statutes, case law and practice directions.
SAAPLC05	The rules and admissibility of evidence.
SAAPLC06	The Parenting Plan, value of and evidential weight.
SAAPLC07	Practice Direction 27A, preparation of bundles, chronologies, schedules, skeleton arguments and written submissions.
SAAPLC08	Current guidelines in relation to use of experts including CFA 2014, s.13.
SAAPLC09	Currency of information in relation to new or proposed changes to the conduct of private law children cases as a result of family justice reform.
SAAPLC10	Transparency in the family courts.
SAAPLC11	The role and function of CAFCASS Officers and any private/public law interface.
SAAPLC12	The role of the Court in relation to hearing the voice of the child or young person subject of proceedings.
SAAPLC13	The range of family dispute resolution processes available to assist parents in making arrangements for their future parenting and the Court's responsibility in considering same.
SAAPLC14	The effect of family separation and breakdown in parental communication for adults, children and young people.
SAAPLC15	Duties and responsibilities in relation to the safeguarding from harm and wellbeing of children and young people.

SAAPLC16	The principled negotiation of settlements.
-----------------	--

Competency Code	Performance Candidates must be able to:
SAAPLC17	Demonstrate appropriate application of the Resolution Code of Practice and any/all other relevant practice protocols in all cases.
SAAPLC18	Identify and explain to clients the relevant provisions in law that relate to private law children matters in their particular circumstances.
SAAPLC19	Provide an appropriate explanation and evidence of use of advocacy in children proceedings.
SAAPLC20	Identify and explain the relevant use and admissibility of evidence in each individual case.
SAAPLC21	Identify, assess and explain the necessity for the use of expert/s.
SAAPLC22	Identify and explain the range of family dispute resolution processes that may be appropriate and of assistance to clients in arranging future parenting or the resolution of disputes and the role of the Court in assessing when and if they may be appropriate to consider.
SAAPLC23	Identify and consider where any forthcoming or newly established change in the conduct of private law children matters may be relevant.
SAAPLC24	Identify and assess where/if arrangements in relation to transparency in the family court may be a consideration.
SAAPLC25	Identify and explain to clients as and when appropriate, the role of CAFCASS including timescale for reporting.
SAAPLC26	Identify, consider and explain the importance of the voice of the child or young person being heard appropriately and assist client parent to consider the importance of the child's wishes and feelings.
SAAPLC27	Provide relevant information and signposting to services of information and support for parents, children and young people.
SAAPLC28	To evidence in written and oral form clear knowledge of practice, procedures, case law and how this assists and advocate in Private Law Proceedings.

Guidance Notes to Unit

- Candidates should be aware that not all competencies will feature in case studies but must be prepared and able to answer all that are listed in the unit. Assessment is adjusted to match competencies tested.
- If you are taking either of the Advocacy portfolio assignments, you will be required to record your submissions.